

## CLASSICAL CDs

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## Feet first

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## Demonisation of Cherie Blair

Nigella Lawson on the motives behind the smears  
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## Welcome to the intelligent house

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## Ruling on 48-hour week is nonsense, says Major



Rifkind: adopted his boldest manner

## Left and Right gang up on Centre

THE word "convergence" re-emerged again and again during yesterday's discussion of the Foreign Secretary's White Paper on Europe. The Foreign Secretary sat down, backbenchers on both sides rose to blame — or praise — the idea that European economies should converge. Dale Campbell-Savours (Lab, Workington), was in favour of convergence. Others, Euro-sceptics on both sides, were against it. But the convergence they were discussing (the economic kind) was less interesting than

Matthew Parris

two convergences none seemed to notice. The left wing of the Labour Party are converging with the right wing of the Tory Party. They both hate the EU. They are gangling up on the front benches of both their parties to say so. Meanwhile, the Tory Front Bench is converging with the Labour Front Bench. In a nutshell, they're both scared of anti-EU anger in their parties, and anxious to keep it at bay. Thus, Mr Rifkind, adopting his boldest manner, stormed his way through a two-point shopping list of groceries he was determined to bring

Continued on Page 2, col 4

## Britain urges cut in power of Euro court

By Philip Webster, Political Editor

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BRITAIN is ready to seek changes to the Treaty of Rome to stop the European Court of Justice abusing its powers, Malcolm Rifkind said yesterday as another controversial ruling overshadowed the launch of the Government's White Paper on Europe.

The Foreign Secretary spelt out his plans to prevent the court "making rather than interpreting the law" after it rebuffed British attempts to quash a European law imposing a maximum 48-hour working week — a decision derided by the Prime Minister as ludicrous and complete nonsense.

Mr Rifkind promised action to prevent health and safety directives being used to introduce social policy legislation "by the back door" — as it believes is happening with the 48-hour week. But yesterday, the Advocate General advised the court to throw out British claims that the rule is illegal, and his recommendation is certain to be accepted by the court in the summer.

The interim finding and the court's ruling last week giving Spanish fishermen the right to seek millions of pounds in compensation for being barred from British waters have infuriated Conservative Euro-sceptics, and Mr Rifkind made plain that he intended to make restraining the court a high priority at the forthcoming inter-governmental conference that will review the Maastricht Treaty.

He highlighted proposals in the White Paper to limit backdated applications of its judgments and member states' liability for damages. And he then indicated that the Government was prepared to go much further to prevent the court using its powers in a

way that the Community's ministers had not intended.

He sees the judgment on fishing quotas, introduced to protect member states, as a prime example. These have now been interpreted as a licence to allow other fishermen to fish in British waters.

Mr Rifkind also wants to stop in their tracks ideas being floated within the European Parliament for fiscal measures — which can only be dealt with by unanimous agreement — to be tackled on to single market or environmental proposals, which are covered by majority voting.

The Advocate General's advice would require ministers to introduce a maximum 48-hour week unless employers specifically negotiated longer hours with their workers. That flies in the face of the British opt-out from the social chapter and was immediately denounced by John Major, who told the Commons: "This sort of European legislation is ludicrous and we will continue to tell our partners in Europe that is the case."

"It is precisely because of legislation like this and stupidities like this that the EU is becoming uncompetitive and losing jobs to other parts of the world. It is a complete nonsense and it is time that people began to stand up and say so."

Mr Rifkind's declaration that he was prepared to seek treaty changes pleased some

Euro-sceptics who regard a "repatriation" of powers from Brussels as an essential demand. While treaty reforms could happen only by unanimous agreement, ministers believe his stance gives Britain an important bargaining counter in the talks, which start in Turin on March 29.

Sir Michael Spicer, who led the Maastricht rebellion but now chairs the European Research Group, said the White Paper had given hope to those who believed that taking back powers from the court was the way to block a federal Europe. But headline sceptics made no attempt to hide their view that it would not stop the drive towards a federal Europe.

The 38-page document treads a careful path between the two wings of the party, rejecting any move towards the gradual development of a United States of Europe and declaring that the bedrock of the European Union was the nation state.

But it also underlined in ringing terms the benefits of EU membership. Mr Major in a foreword said: "The UK has to be at the heart of the debate to make clear its views about the future of the EU because it is our future and the future of our continent."

The document added: "We are committed to the success of the EU and to playing a positive role in achieving that success."

To avoid the risk of conflict, it barely mentioned monetary union or a referendum. Mr Rifkind's paper to the Cabinet on the implications of a referendum, including the issue of whether the Cabinet would be bound by a decision on a single currency, is expected within weeks.

Continued on page 2, col 2



Graham Bradley after winning the Smurfit Champion Hurdle on Collier Bay at Cheltenham yesterday

## Win for rider who clocked on late

By Richard Evans, Racing Correspondent

GRAHAM BRADLEY won the Smurfit Champion Hurdle on Collier Bay at Cheltenham yesterday and was immediately dubbed the Alarm Clock Champion.

The jockey had been due to ride Alderbrook, which finished second, but lost the ride last month when he overslept and missed a schooling session because his alarm clock failed during a power cut. The rider obtained the chance ride on Collier Bay, a 9-1 shot, only 24 hours before yesterday's £175,000 feature race when the horse was turned down by another jockey, Bradley, 35,

looked pointedly at his watch as he made his way to the winner's enclosure and said: "It was very embarrassing. I made Southern Electric send me a telegram saying when the power cut was that made me miss a schooling session on Alderbrook. I was very unlucky and lost the ride on Alderbrook, but I must thank Southern Electric now."

"I should have been there to school Alderbrook for 10am, but I went to (fellow jockey) Dean Gallagher's birthday party the previous night and got back about 1.30am. I was pretty drunk to be honest, but I thought I would be there easily for 10am. My girlfriend went to work at 7.30am

and set my electric alarm clock, but there was a power cut and I did not wake up until 10.20am."

"I rang Mr Bailey, the trainer of Alderbrook, and said I would be there in ten minutes, but he told me not to bother: the schooling session had already happened. It was a nightmare. I thought I had missed a Champion Hurdle victory because of it."

On the opening day of the three-day festival, Martin Pipe, the former champion

trainer, had two horses put down after injuring themselves. Jamie Evans, who rode another of Pipe's runners, was taken to hospital with a broken leg after a bad fall.

The tented village at the racecourse was badly damaged by high winds a few hours before the festival got under way. Workmen had to carry out emergency repairs on marquees housing shops and trade stands.

Racing, pages 44, 45

## China opens fire

FROM JAMES PRINGLE IN PEKING

CHINESE ships and aircraft criss-crossed in an offshore exercise firing live ammunition less than 100 miles from Taiwan yesterday as Peking signalled it will not tolerate the island's rising international profile.

On Quemoy and Matsu, the two Taiwanese islands close to the mainland, soldiers bolstered defences against a possible lightning strike. With two American naval task forces either in the area or on the way, tensions were reaching levels not seen since the late 1950s.

"We support the sensible precautions being taken by the

United States" in "this dangerous situation," said a Foreign Office spokesman. The European Union said it "deeply regretted" China's actions.

William Perry, the American Defence Secretary, said the US doubted China would attack Taiwan, and US Congress resolutions called on the country to be ready to provide defensive weapons to Taipei.

But a Russian Foreign Ministry spokesman described the situation as "an internal matter for the Chinese people."

Fears of war, page 12  
America warned, page 13

## Graffiti vandal given five years

A graffiti vandal who carried out an 18-month campaign spraying murals on buildings and vehicles has been jailed for five years.

The 23-year-old graffiti, which he always marked with his trademark symbol, a clenched fist, became a familiar sight throughout South Yorkshire. Sheffield Crown Court was told. Page 6

## Dole health fears

As Robert Dole drives inexorably towards the Republican nomination, some party members feel that he may not be strong enough physically to survive the battle for the White House. Page 15

## Adams is embarrassing dinner guest for US hosts

FROM MARTIN FLETCHER IN WASHINGTON AND NICHOLAS WATT

GERRY ADAMS, ostracised by the British, Irish and American Governments since the IRA ceasefire collapsed, will attend a dinner in Washington tomorrow whose guest list includes the First Lady, John Bruton, the Irish Prime Minister, a British minister, the Shadow Ulster Secretary and David Trimble, the Ulster Unionist leader.

Sources said organisers of the American Ireland Fund event were embarrassed by the Sinn Féin leader's presence but could do little about it. Mr Adams has been invited by an Irish-American family from Boston — the Dunfrys — that has bought five tables' worth of tickets.

Hillary Clinton, who is accepting a peace award on the President's behalf, represents an Administration that has barred formal contacts with Mr Adams. Baroness Dexton of Wakefield, the Northern Ireland Minister, and Mo Mowlam, the Labour spokeswoman, have been warned in

advance of Mr Adams's presence.

An American official said yesterday that the ceasefire's collapse was "a kick in the face for the Administration and that's how Gerry Adams will be received. There's no one here who understands this resumption of violence."

In Belfast, the IRA admitted planting the bomb which exploded in Fulham, west London, at the weekend.

Letters, page 19

## Dinosaurs were the first trombonists

FROM QUENTIN LETTS IN NEW YORK

SCIENTISTS say they can re-create accurately the cry of a dinosaur, 75 million years after its final lament echoed across the American wilderness.

The acoustic breakthrough follows the discovery in New Mexico of a fossil of the parasaurolophus, a duckbilled dinosaur with a distinctive, rear-peaked head. Advances in the science of stereolithography — the use of laser to make three-dimensional objects in plastic — mean that the dinosaur's head can be rebuilt.

The parasaurolophus's skull contained trombone-shaped air passages that probably gave the creature a deep moo,

similar to the lower notes on a brass instrument. The sound will shortly be heard at the Sandia National Laboratory, New Mexico, where data from the dinosaur fossil has been run through a computer and where air will be sent through a PVC replica of the head in the manner of a trombonist playing a note.

The Sandia National Laboratory, administered by the Department of Energy, is the hub of American nuclear weapon research. It was chosen for the project by Robert Sullivan, a curator at the Museum of Pennsylvania, who found the fossil in New Mexico last summer.

Michael Brett-Surman, a dinosaur consultant from the Smithsonian Institution

in Washington DC, said yesterday: "To hear the sound of a dinosaur from 75 million years ago would be exciting in a scientific sense, although dinosaur hearing was poor and operated at the lower end of the register."

He emphasised that the Sandia researchers would need to line the skull's air passages with a material similar to cellular mucus and dinosaur cartilage, otherwise it might not resonate to a genuine degree. If the experiences of the brass band hold firm, the length of the air passage will dictate the tone of the note. Thus, the older dinosaur, with its longer tubes, will have had a deeper "voice" than its young.



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## Fierce winds whip up snowy danger

By Robin Young  
and Paul Wilkinson

HIGH winds and driving snow caused widespread disruption yesterday to traffic and power services. At least 14,000 homes in Scotland were without power and television and radio transmitters were damaged by winds up to 80mph. Emergency shelters were set up to provide hot food and warmth for anyone whose power was not reconnected.

Overnight snow also hit northern and western England and the Midlands, bringing treacherous driving conditions. Cross-Pennine routes were closed from the A57 Snake Pass between Sheffield and Manchester to the A69 between Carlisle and Newcastle.

In West Yorkshire, where up to four inches of snow fell, one driver took three hours to travel the 18 miles from Ilkley to Leeds, which usually takes 30 minutes. Commuters daunted not enough had been done to keep roads clear, but councils said gritters and snow ploughs had been working long before the rush-hour.

Routine outpatients in Bradford had their appointments cancelled as ambulances concentrated on emergency calls. Janet Walter, of West Yorkshire Ambulance Service, said: "We have our 4x4 ambulances on the road now to get to those with life-threatening conditions."

In Cumbria, firemen rescued two men trapped on the roof of their car in a river swollen by torrential rain. They stalled while crossing a ford near Cleator Moor.

Snow falls were expected to stop during the evening, but forecasters warned of drifts caused by continuing strong winds.

The Government offered financial aid to communities in Scotland hit by floods. George Kynoch, Local Government Minister, said that authorities in Grampian would be able to claim towards emergency costs incurred after record rainfall caused flooding last September and Renfrew District Council will receive nearly £170,000 towards the cost of clearing up after the Paisley floods in December 1994.

Forecast, page 24

## Government angered partner states by going to court

# Defeat on working hours a severe blow to ministers

FROM CHARLES BREMNER  
IN BRUSSELS

THE Government's defeat in the European Court of Justice yesterday had been seen as a vital round in its fight to annul the EU law setting the maximum compulsory working week at 48 hours and imposing rest periods and holidays.

In another rebuff to Britain from the Luxembourg court, the body's legal adviser decided there were no grounds for accepting any of the Government's arguments; the one being that the law had nothing to do with the issue of health and safety. The full court, which will pronounce on the case in the summer, rarely issues rulings that differ from the opinion of its advisers, the advocates-general.

The Brussels Commission welcomed the opinion by Philippe Léger, one of nine advocates-general. "We are pleased that his reasoning does not give satisfaction to the UK on any of the grounds on which it complained," a spokeswoman for Padraig Flynn, the Commissioner for Employment and Social Affairs, said.

British lawyers argued before the court in January that the directive, passed by EU member states in November 1993, had been disguised as a



Hunt: was seen to have reneged on deal

"social" measure, and wrongly been subject to majority voting in the government council rather than the unanimity required for measures affecting the "rights and interests of employed persons". Deprived of a veto, Britain abstained in the vote and immediately took its fellow EU Governments to court.

M. Léger, 57, a law professor and former chief of staff for the French justice ministry, rejected the Government's main argument that there was no evidence that long working hours harmed health or reduced safety. There was clearly a health and safety concern, he said. Offering fuel to critics

who charge the court with applying a political agenda, the advocate-general added that health and safety should have a broad interpretation and that a more restrictive approach would "run counter to the trend in our society".

The directive, due to take effect this year, imposes a 48-hour per week limit, including overtime. It also requires breaks every six hours and a minimum daily rest of at least 11 straight hours, and four weeks of paid holiday. The directive exempted certain categories such as medical personnel and police.

Britain, whose workers put in longer hours than those of all other EU states, persuaded its partners at the time to accept a seven-year grace period before it would have to apply the law. Britain also won a provision to allow employees to volunteer for longer hours provided that certain conditions were met.

Britain's partners were angered when David Hunt, the Employment Secretary at the time, took them to court because they had negotiated a compromise on the understanding that Britain would accept the watered-down directive. "There was a lot of bad feeling that London went straight to the court so there is not much sympathy that it is losing," a Continental diplomat said yesterday.

The court's likely decision, coming after last week's order that Britain pay compensation to Spanish fishermen, is certain to fuel arguments in Britain for a curb in the Court's powers and the creation of some avenue of appeal against its decisions.

According to the Trades Union Congress, a third of Britain's professionals and managers work more than 48 hours; 30 per cent of plant operatives and 25 per cent of craft workers also exceed the 48-hour mark.

White Paper, pages 8 and 9  
Simon Jenkins, page 18  
Leading article, page 19

## Fisheries chief gives warning on fleet cut

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

BRITAIN was told yesterday that it faces legal action by the European Commission if it does not cut the size of its fishing fleet by the end of this year. Emma Bonino, the Fisheries Commissioner, said it had fallen behind targets by 15 to 20 per cent.

She also defended the practice of "quota hopping" by Spanish and other foreign vessels. The White Paper calls

for rule changes to stop foreign boats registering in Britain and taking a share of the British fleet's fish quota. It says quota hopping "prevents fishing communities from enjoying a secure benefit from national quotas".

Signora Bonino said the foreign boats "must be allowed to go about their business without let or hindrance".

## Britain moves to curtail Euro court powers

Continued from page 1

Yesterday, the leading sceptics concentrated their fire on the European court, which Norman Lamont described as an integral part of progress towards a European superstate.

John Redwood, the defeated leadership contender, said: "The Court is off the leash and on the loose, overturning Acts of Parliament, destroying our fishing industry and changing our employment laws. It is threatening our

veto of the social chapter. Parliament should immediately assert its rights."

Jonathan Aitken, a member of the Cabinet until last summer, gave a warning that unless the Government could win the vital battles ahead, MPs would have to start "to seriously consider the option of withdrawal" from the EU.

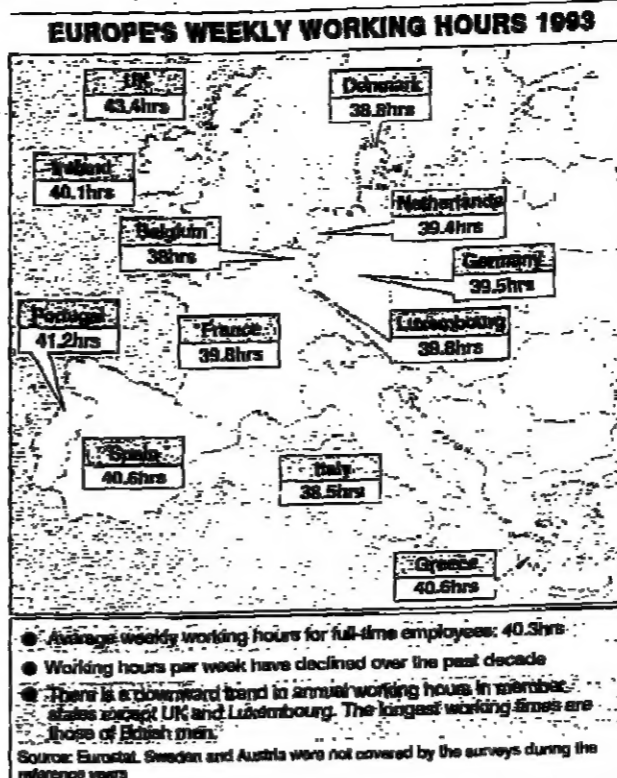
Mr Rifkind told the Commons that Britain was "unambiguously committed" to its membership of the EU. But

he added: "The Government believes the EU will only succeed if it respects the integrity of the independent democratic nation states which comprise its membership, and if it is flexible enough to accommodate their political and cultural differences. The Government is totally opposed to a monolithic, centralised, federal Europe."

Bernard Connolly, the senior European Commission official dismissed after attacking plans for a single

currency, conceded last night that monetary union is likely to begin in 1999.

Mr Connolly, whose book on the workings of the European Commission enraged senior European politicians, told the Commons Treasury Select Committee that a single currency "is more likely to happen in 1999 than later" and that Holland, Belgium, Luxembourg and Austria were likely to join France and Germany.



## Britain can shelve 48-hour week for seven years

By PHILIP BASSETT, INDUSTRIAL EDITOR

BRITAIN can avoid implementing a 48-hour maximum working week until 2003 even if the European Court of Justice, in a judgment expected in the summer, confirms yesterday's legal opinion by its Advocate-General. Although all European Union states would, in theory, be required to implement the ruling from November, Britain could take advantage of a seven-year opt-out.

As well as a maximum 48-hour week, the Advocate-General says that all workers will be entitled to a rest of 11 consecutive hours in every 24 hours, a break whenever the working day exceeds six hours and three weeks' paid leave — and from 1999 four weeks' — in every year. Employers who failed to comply could leave themselves open to legal action.

Business leaders said that if Britain had to put a 48-hour maximum week into practice it would hurt competitiveness. John Cridland of the Confederation of British Industry said: "If we have to imple-

ment this confusing directive, it will involve employers in bureaucratic and time-consuming negotiations and recording of employees' working hours, disrupting shift and night working."

But John Monks, the TUC General Secretary, said he hoped that the European Court would dismiss Britain's challenge to the ruling. "This is another nail in the coffin for Britain's [Maastricht treaty] opt-out," he said.

Few employees would be affected by a maximum working week of 48 hours, even though Britain has the longest usual working week in the European Union and is the only European country where the working week has increased over the past decade. The British working week averages 43.4 hours, followed by Portugal at 41.3, Belgium has the shortest at 38.2 hours and the EU average is 40.3 hours.

About one in five of Britain's 26 million employees work on average more than 48 hours a week.

## Loyalists pledge to match the IRA blow for blow

By NICHOLAS WATT  
IRELAND CORRESPONDENT

LOYALIST terrorists warned the IRA last night that they would match its violence "blow for blow" if republicans refused to restore their ceasefire.

As the IRA said that it planted last Friday's bomb in Fulham, west London, the Combined Loyalist Military Command said it would not allow continued attacks on the mainland to go unanswered.

In its first important statement since the IRA ceasefire ended, the loyalist terrorist leadership said it had "withstood the recent provocation of IRA bombs on the mainland which have killed our innocent British fellow citizens".

But it added: "We are poised and ready to strike to effect. We will give blow for blow. As in the past, whatever the cost, we will gladly pay it."

The loyalists said they had taken "careful note" of last week's threat from the IRA to maintain its campaign for another 25 years if Britain refused to convene unconditional all-party talks. The command, which is the umbrella group for the Ulster Volunteer Force, the Ulster Defence Association and the Red Hand Commando, said: "Threats of war, or war itself, will not lessen our resolve for Northern Ireland to remain part of the United Kingdom so long as the greater number of our citizens require it. The IRA must come to terms with the indisputable fact that we, the Unionist people, are the British presence in Northern Ireland."

The loyalists coupled their threats by saying that they genuinely wanted peace. They called on the IRA to "draw back from the brink" by restoring its ceasefire, adding: "The IRA and Sinn Féin must choose and choose well."

The command insisted that democracy was the only way forward. It added: "We are convinced that sufficient political agreement can be reached to allow all of our citizens to have an equal and meaningful stake in the new society that is coming."

The statement is a clear warning to the IRA that its renewed campaign will prompt loyalists to retaliate even if republicans restrict their violence to the mainland. Gary McMichael, the leader of the Ulster Democratic Party, the political wing of the UDA, said: "This statement is saying that the road the IRA is travelling is a very dangerous road. It will inevitably lead to confrontation between the two communities." Loyalists would give as good as they got.

## BA accepts £400,000 costs from Virgin

British Airways has agreed to accept more than £400,000 in costs from Virgin Atlantic after the "dirty tricks" affair. The payment follows a High Court action begun in 1993. Virgin was seeking £29 million in damages from BA for allegedly misusing information available on a shared computer network but settled for £265,000 in April last year. Each agreed to pay a proportion of the other's costs, under the terms of that settlement.

## Police jobs

Scotland Yard may privatise up to 5,500 civilian jobs under an efficiency review. It is examining the finance department, which runs the £1.7 billion budget, the legal department, personnel, technology, property maintenance and public affairs.

## Radiation rise

Levels of solar radiation hitting Britain have risen sharply with amounts over some cities 50 per cent higher than normal, according to findings by the government's National Radiological Protection Board, which blames depleted ozone levels.

## Drugs in prison

Thirty-seven per cent of prisoners were found to be using illegal drugs in a survey of substance misuse in jails. The vast majority were found to have taken cannabis. About 4 per cent were heroin users and 2 per cent were on tranquillisers.

## Tennis case

Tennis players Mats Wilander and Karel Novacek yesterday began a High Court fight against allegations of cocaine abuse. They want to delay an International Tennis Federation hearing until after their High Court action against the body in June.

## Marines action

A woman who applied to be a chef with the Royal Marines but was told it was a men-only service is claiming sex discrimination. Angela Surdar, a former Army chef, is believed to be the first woman to challenge the ban on women serving in the Marines.

## Aubergine hailed

Muslims claimed a miracle after Salim and Rukhsana Patel, from Bolton, found the name of God in an aubergine. The couple found the Arabic word for Allah formed by seeds. Abdullah Patel, their priest, said: "This clearly shows our God exists."

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## Allies against EU

**MATTHEW PARRIS**  
POLITICAL SKETCH

Continued from page 1  
home from Brussels. In fact his statement picked a careful path across tricky terrain, but it sounded confident and promising delivery at a future date, bought time. Backbench Eurosceptics muttered, but did not explode. Some offered a guarded welcome. Mr Rifkind eyed them warily.

Next up was his Opposition Shadow, Labour's Robin Cook. In a thin response, Mr Cook sounded uncharacteristically tentative. Why? Mr Rifkind did point out that until recently Mr Cook had been pretty hostile to the EU; but it is unlike Mr Cook to allow the fact that he believes a proposition to be nonsense to detract from the panache with which he advances it. His edginess may better be explained by nervousness about his own backbench Eurosceptics.

Pro-Europeans on both sides of the House shuffled closer to each other in their remarks. The Early Christians in the presence of a preponderance of barbarians. John Home Robertson (Lab, E. Lothian), wanted the Government to be "more positive" about Europe. Ray Whitney (C, Wycombe), wanted us to know that rumours about Helmut Kohl's Euro-federalism are quite untrue: this cuddly German has been misunderstood.

But along the back of the backbenches on every side, the barbarians proved. It was one of those occasions when the Chamber resembles not so much a battlefield divided between opposing armies, as a stockade in whose middle huddle the forces of

European culture — Tory, Labour and Liberal Democrat — humming Beethoven's Ninth to keep their spirits up, while from the encircling darkness bongo drums curdle the blood.

Dimly visible from the blackness, Eurosceptics were virtually holding hands in a ring right around the Floor of the House, with both Front Benches held hostage in the middle. The loudest cheer from the Tory barbarians went not to one of their own, but to the veteran Eurosceptic, Peter Shore (Lab, Bethnal Green & Stepney), calling to them across the floor.

Nor was this the only convergence. John Redwood (C, Wokingham), was cheered for his attack on EU pretensions; Labour's Tony Benn was cheered for his opinion that currency union without a referendum would amount "to a coup d'état". Have you noticed that both Benn and Redwood — intelligent Left and intelligent Right — have starting eyes?

But the most striking convergence of opinions occurred between a rich, smooth, Eton and Christchurch educated Tory capitalist, and a rough-hewn, hard-left, working-class Socialist from a mining seat.

Jonathan Aitken (C, Thanet S) told ministers, in the politest possible way, that it could soon be time for Britain to leave the EU. Dennis Skinner (Lab, Bolsover), told ministers, in the rudest possible way, that we should have done so years ago. The Boulevardier of Beilgravia, hand in paw with the Beast of Bolsover. Some convergence.

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'She would not take no for answer'

# Housewife ran at me like a prop forward, says accused lawyer

BY MICHAEL HORSNELL

THE slightly built wife of a wealthy businessman was accused yesterday of acting like a "rugby prop forward" during a struggle with her husband's solicitor.

Allen Chubb, who is 6ft 3in, said he had used minimum force when Laura Harold charged into his office, and had pinned the 5ft 2in housewife to the floor only to restrain her until police arrived.

Mr Chubb, 52, a former special police constable, has pleaded not guilty to assault occasioning actual bodily harm and false imprisonment in a private prosecution brought by Mrs Harold.

A jury at Inner London Crown Court has been told that Mrs Harold, 32, a housewife with two children, had called at the solicitors on her husband's behalf to demand the deeds to their £1 million house.

But Mr Chubb, the senior partner of Child and Child in Belgravia, refused to hand them over because of a disputed £3,500 bill he alleged the Harolds had failed to pay.

On the second day of his trial yesterday, Mr Chubb said he had been calm and collected when he first ejected Mrs Harold from the building. He said in an interview with police: "After a short interlude, Mrs Harold got up and charged back into the premises with her head down. She didn't say anything. She charged along the hall like a rugby prop forward."

"I caught her with both arms and she either fell or I pushed her to the floor on her back. I was worried she might get hurt and my objective was not to hurt her. I therefore pinned her to the floor," Mrs Harold, who weighs 7½ stone



Harold: said to suffer flashbacks of incident

against Mr Chubb's 14½ stone, claims that she went back into the building to retrieve her fur coat, which had been left behind when she was dragged along the floor.

The court has been told that Mrs Harold was covered in bruises from that incident and her earlier ejection, in which she alleged she was dragged on her back from an interview room and thrown down a flight of stone steps into the street.

The court heard a statement from a hospital doctor who said Mrs Harold, who spent a week in hospital after the incident in April 1995, had suffered "multiple bruises" which were visible two days later. A psychiatrist's report said: "She has been suffering flashbacks to the face of the solicitor. She felt ill and unable to cope. She could not cope with her children and felt the demands of normal life were overwhelming."

Mr Chubb told police: "I did not attack her or kick her or hit her. I would expect some

bruising on her lower legs but that is more the result of her own actions, not of my own, occasioned by her resisting her lawful removal from the premises."

Mr Chubb told police that she started shouting when he refused to hand over the deeds of the un-mortgaged property which her husband Michael wanted to hand over to his bankers in connection with a property deal at the back of the couple's home in Belgravia. "She would not take no for an answer," and refused to go, obliging him to use "no more than reasonable force" to remove her.

He said that his treatment of her had been gentle and that she bounced along the floor on her bottom as he pulled her, and at one stage tried to anchor herself by hooking her legs around the leg of a desk in the reception area.

Mr Chubb denied throwing her out of the building and said that he tumbled as he pulled her through the front door and fell onto her. "I don't see how I could have used less force than I did. I thought I behaved reasonably. I believe that what I did was lawful and proper."

The solicitor said he regarded Michael Harold, a property developer and industrialist, "as a bully". On the day of the alleged assault Mr Harold paid an early-morning visit to Child and Child's premises, demanding the return of the deeds, the court was told.

Mr Chubb, of Barnes, south London, said the businessman made clear that he was prepared to search the offices for the papers himself. "This made me very angry," the solicitor said. He told the court he called the police, but Mr Harold had left by the time they arrived.

The case continues today.



Julia Carling, named satellite television personality of the year yesterday amid further royal allegations

## Julia Carling rules out reconciliation

BY EMMA WILKINS

JULIA CARLING, the estranged wife of the England rugby captain, said yesterday there was no chance of a reconciliation with her husband amid further allegations about his relationship with the Princess of Wales.

Mrs Carling, 31, who was named satellite television personality of the year at an award ceremony in London, shared the billing with the Princess's Panorama interview, which won a prize for the year's best factual programme.

Mrs Carling, who conducts celebrity interviews on VH1, a music channel owned by MTV, collected her award

from the Television and Radio Industries Club at the Grosvenor House hotel, Park Lane.

According to a newspaper, Mr Carling confessed to an intimate relationship with the Princess during an argument with his wife last year. The newspaper claimed the story came from an unnamed friend of Mrs Carling.

After accepting her award, Mrs Carling said: "This has really made my day, along with a few hundred photographers. I hope I am seen more on the television and not in the headlines."

Rejecting any chance of a reconciliation, Mrs Carling went on: "I have to see this terrible period through. It's not

great but life goes on." A spokeswoman for the Princess of Wales refused to confirm or deny the reports of a relationship. "This is a private conversation said to be between Julia Carling and her husband. We are not commenting on it at all," she said.

When she learnt of reports of her husband's relationship, Mrs Carling issued a late-night statement through her solicitors Forsyte Saunders Kerman. It said that Mrs Carling was very distressed by the disclosure and regretted its appearance in a newspaper. A spokesman for Mrs Carling's solicitors said yesterday that the firm had nothing more to add to the statement.

## Party girl killed by two who drove van

BY ANDREW PIERCE

A JUDGE yesterday condemned under-age drinking at a party at which a 16-year-old girl was run down and killed. Emily Sims suffered horrific injuries as the vehicle dragged her 30 metres while other youngsters watched.

The birthday party at Bromley Football Club, southeast London, had been attended by 300 people as young as 15 from three schools. Drink flowed freely and a series of disputes broke out, resulting in an assault and the accident in the car park.

The Old Bailey was told that if David Moon, 20, of Southborough, Kent, and a schoolboy aged 16, who cannot be named, had heeded the cries of onlookers, Emily might have survived. Many who saw the incident in February last year were so traumatised that the local authority had to arrange counselling in schools.

Moon and the 16-year-old were found guilty of violent disorder and causing death by dangerous driving. Judge Forrester remanded them until April 19 for pre-sentence reports. Another 16-year-old was found guilty of wounding Moon with intent and of violent disorder.

The judge said he wanted details of the case to be drawn to the attention of the authorities responsible for granting liquor licences. "Under-age drinking was taking place — and obviously so. Appropriate steps should be taken to inform those responsible."

The court was told that the van ploughed into Emily and her friend Melanie Cook, 16, in the car park. A brawl had broken out a few yards away and Moon was hit over the head with a dumbbell.

Moon jumped into the van with the 16-year-old; Moon operated the clutch and the teenager steered. The van veered into the two girls, who were waiting for a lift. Emily was trapped under the wheels and Melanie thrown clear.

Witnesses screamed at the van to stop. Orlando Pownall, for the prosecution, said: "It is inconceivable that they failed to hear those cries. They chose to ignore them. They later claimed they did not see the girls. They should have done."

## Accident victim woke up in boot

BY ROBIN YOUNG

A MOTORIST who mistakenly thought he had killed a barmaid in an accident bundled her into his boot and drove away.

Donna Hayes, 33, recovered consciousness and banged on the roof of the boot until the driver, Philip Hackwell, 28, stopped almost two miles down the road. Yesterday Mr Hackwell, of Reydon, Suffolk, appeared at Ipswich Crown Court and denied attempting to pervert the course of justice.

Jane Davies, for the prosecution, said that when Mr Hackwell, a turkey factory worker, opened the boot and helped Mrs Hayes out he told her: "I am sorry. I thought I had killed you so I put you in the boot."

He then put Mrs Hayes in the front seat and drove her to a friend's house where a doctor and ambulance were called. Mrs Hayes, a mother of three, spent the night in hospital and was treated for a broken shoulder, concussion

and bruises to her leg. Miss Davies said, but had since been unable to return to work and still suffered from vertigo and nightmares because of her experience.

Mrs Hayes told police that she had been walking to work at the Cherry Tree pub in Stoven, Suffolk, on October 5 last year. The last thing she remembered was seeing a red Vauxhall Chevette parked in a field about 50 yards from the road.

She could remember nothing more until she recovered consciousness and realised that she was in the boot. She said she knocked hard until the car stopped. "The next thing I was being helped out of the boot by a man."

Miss Davies said that Mr Hackwell had initially been charged with false imprisonment and had given police a full account of what happened. He had also told police he had been suffering from stress and had been sleeping in his car for the previous two nights.

The case continues today.

## Robbers manacle soccer chairman

BY PAUL WILKINSON

THE chairman of Leeds United Football Club was overpowered and handcuffed by masked robbers during a £200,000 raid at his home. Leslie Silver, 71, the millionaire semi-retired owner of a Leeds paint manufacturing company, was manacled to a door while three men forced his wife Sheila to open the safe and hand over cash and jewellery valued at more than £200,000.

Last night Mr Silver said he and his wife had been watching television on Monday. Shortly after 8.30pm the raiders, all wearing black balaclavas, smashed their way in through a downstairs window of the house at Seacroft, West Yorkshire.

They warned the couple not to look at them and forced them to lie face down on the carpet before throwing a blanket over them. Mr Silver said: "I was pushed to the floor and we were both handcuffed. They took my wife to the safe

and tied me to the snooker room door. When they had gone I managed to reach out for a phone and call 999.

"They were in the house for about 20 minutes but it seemed like 20 years. It was a terrifying experience. Obviously I was concerned about my wife. There was no indication of any violence, but it was fairly brutal. The worst part was our fears for each other when we were separated. There was no way we could sleep last night."

The raiders stole every item of Mrs Silver's jewellery before leaving the couple handcuffed to the door. They managed to free themselves before police arrived.

The raiders were slim and white. One was 5ft 11in, in his mid-twenties and wore white training shoes with yellow and brown markings. A second man was 5ft 8in.

Police said the robbers must have had a vehicle. They appealed for information from anyone who saw one near the house that night.

## Cleared barrister returns to his pigs

BY TIM JONES AND RUSSELL JENKINS

A PIG-breeding barrister was acquitted yesterday of refusing to provide a breathalysed specimen after magistrates were told he had been the victim of a police vendetta.

Iain Whitney, 46, intends to bring private prosecutions against members of the Warwickshire force who arrested him. He claimed he had become a police target after falling out with a sergeant over shared land on which he kept his pigs.

Since the incident last August, Mr Whitney has sent 30 black and white saddlebacks to market, including Bunkers Hill Dictator The First, which won him his first prize at the Royal Show, Outside Rugby Magistrates' Court he said: "I could no longer work as a police prosecutor so I needed the money. Sadly, Bunkers Hill has now been turned into sausages."

Elisabeth Barrett, Mr Whitney's counsel, told the court



Mr Whitney's herd of saddlebacks went to market

he had been the victim of an orchestrated campaign by police to catch him. She said it was based on a long-running grudge conducted by Sergeant George Stepney after the two fell out over the shared piece of land.

Miss Barrett said Sergeant Stepney had compiled an intelligence report alleging, untruthfully, that Mr Whitney

was a notorious drink driver with an alcohol abuse problem.

"One of Her Majesty's officers has used his position of power, given to him to be exercised lawfully and fairly towards other citizens in order to pursue his own private vendetta. This is nothing to do with reasonable suspicion and everything to

do with the desire of Sergeant Stepney to discredit Mr Whitney."

Mr Whitney told the court that on the night of his arrest he had been terrified when an unmarked police car drove close behind him as he was taking a friend home from a pub. "When I dropped my friend off I ran away because I was frightened." The prosecution claimed he refused to be breath-tested because he was well over the legal limit.

Outside the court Mr Whitney, of Pillerton Hersey, Warwickshire, said he planned to open a practice in Warwick specialising in defence cases. "I can go back to my dream of trying to recreate the ancient Essex pig strain."

Warwickshire Police said in a statement: "The case was properly brought and the evidence heard. The court has now given its verdict. Because of the private prosecution pending against officers involved, which will be rigorously defended, we can make no further comments."

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## Bus queue defender jailed for head butt

AN ACCOUNTANT who head butted a man he thought was trying to push into a bus queue was jailed for six weeks yesterday. Keith Finucane, 36, lost his cool while waiting for a bus during a Tube strike on a hot afternoon.

His victim, Massimo Balestra, was attacked after he paused near the crowded bus stop in the City of London to chat to a friend. Middlesex Guildhall Crown Court was told. Finucane assumed that Mr Balestra intended to push into the queue and began shouting and swearing at him.

Mr Balestra pushed him away but Finucane butted him in the mouth, cutting his lip. Finucane had denied assault but was convicted after a three-day trial in January and returned for sentencing yesterday.

Karen Blore, in mitigation, blamed the incident on a "momentary loss of control" by a man who "felt he was protecting the interest of others waiting in the bus queue". But Judge Lincoln Crawford said: "If you are protecting people at a bus stop, you don't object to someone jumping a queue by head butting that person in the mouth."

Miss Blore said that Finucane, of Bethnal Green, east London, was an industrious man of good character, whose "future employment" would be in question if he were jailed. James Dawson, head of personnel at Finucane's employer, the solicitors Clifford Chance, told the judge that Finucane was "well-respected within the firm" and explained that he was the main contact in London for two of the firm's international offices.

Jailing Finucane, Judge Crawford said: "This man didn't provoke you and you didn't simply push him away, you head butted him in the mouth. By any comparison, this is a case of the nastiest assault you can mete out to anyone. Your behaviour was appalling on that day." Finucane was ordered to pay £750 costs and £750 compensation to Mr Balestra.



Alexandra Nechita in London: her artistic embrace includes Picasso-like Cubism, as in *The Comedy Lover*, below, but some critics seek to put her talents into perspective

## Brush with fame draws sceptics

By DALYA ALBERGE  
ARTS CORRESPONDENT

THE British art world is viewing with scepticism a ten-year-old girl hailed as "the new Picasso" for semi-abstract paintings selling for up to £40,000 in America.

As Alexandra Nechita, the daughter of a Romanian refugee, was presenting her *Dove and the Angel of Peace* to Michael Portillo, the Defence Secretary, and preparing to make similar gifts to other nations, there was concern yesterday that hype had become a fine art in its own right. Gillian Wolfe, head of education at Dulwich Picture Gallery, said of the girl who has signed a £400,000-deal with a Los Angeles

publisher and sold 250 of her Cubist-inspired paintings: "What sort of ideas will she have of her own worth? She is going to see herself in terms of money."

Brian Sewell, the art critic, said that he did not believe in ten-year-old geniuses: "Most ten-year-olds can copy. If you dump them in front of a Picasso, they will make a Picasso, of sorts. If you put them in front of something difficult like a Leonardo, they will find themselves stymied."

He questioned why Alexandra's promoters had not invited his views: "That suggests that those putting on the hype realise there's not much there. If there was serious evidence of genius, they would surely have called in the dozen art critics who

really matter. This sounds like a journalist's delight, as opposed to a critic's delight."

She was in London yesterday, accompanied by her parents and a publisher, Ben Valenty, who owns a chain of galleries selling 19th and 20th-century art in Los Angeles, where Alexandra lives. He first saw her work in a children's exhibition at a local library. "I was bewildered," Responding to criticism that she was being pushed at a tender age, he said: "Where is it written that you have to be old and grey and half dead before you can have a reasonable career? It used to be that way." Mr Valenty said that William Emboden, who worked for many years at the Los Angeles County Museum of Art,

was among scholars and critics who had praised her work: "He said that 'genius is not too big a word for her'."

One observer said: "The success of contemporary art is as dependent on marketing as on the talent... she is being marketed by virtue of the fact that she is ten. Romanian and an emigré. People are buying into her story."

James Roundell, a dealer in Impressionist and 20th-century art, compared Alexandra to young Eastern bloc gymnasts who were pushed to the limit: "I wonder whether it is entirely natural." He said that it was too early to assess whether her talent would transform into genius. An artist has to have lived: "At ten, you haven't lived."



## Prodigies blessed by genius are rare outside realm of music

By JOE JOSEPH

STARTLING musicians often bloom early, like crocuses — and many will just as swiftly — but painters, sculptors and writers take longer to flower.

Alexandra Nechita would be in skimpy company if Madame Tussaud's decided to open a gallery of child geniuses in the visual arts. Details of artists' lives in the Renaissance are only patchily documented, but it is thought Michelangelo did not start sculpting until he was 15. Picasso was hailed

as something special by the time he was a teenager and there is a story that when his father (also a painter) saw his son's pre-pubescent doodles, he threw away his own brushes and palette, saying it was pointless he painted again.

John Golding, former senior tutor at the Royal College of Art, says there are a few other examples: "Degas was a natural draughtsman from the moment he began, but Cézanne? Matisse? Neither were regarded as child prodigies."

Simon Wilson, a curator at the Tate Gallery in London, says: "Mil-

lais, the pre-Raphaelite, was tremendously typed as a child genius. At the age of nine he won the silver medal from the Royal Society of Arts for a drawing of the Battle of Banockburn. He painted *Isabella*, after Keats's poem, when he was 18, and that really is one of the great British paintings of all time."

So while Mozart, Mendelssohn and Schubert all began composing before the age of 12, and while Chopin, Yehudi Menuhin and Jascha Heifetz had given public concerts by the time they were 11, and while Lorin Maazel was com-

ducting orchestras before he was out of short trousers, prodigies in painting or writing are much rarer.

Writers and artists tend to improve with age. Oscar Wilde may have had nothing to declare but his genius, but he was way past 10 when he made that boast to a New York customs officer. Artists are thought to be hitting their stride once they pass 50.

"Painters and sculptors just evolve more slowly than other kinds of artists," says Mr Wilson. "The greatest art does reflect a mature view of life and view of the world."



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Frustrated artist photographed buildings after leaving his mark in red, black and silver

## Aerosol graffiti vandal jailed for five years

By CAROL MIDGLEY

A GRAFFITI vandal who carried out an 18-month campaign spraying murals on buildings and vehicles was jailed for five years yesterday.

Simon Sunderland, 23, received one of the most severe sentences handed down to a "tagger" after spraying bridges, shops, buses and a town hall in a campaign of criminal damage running to tens of thousands of pounds.

His graffiti, which he always marked with his trademark symbol, a clenched fist, became a familiar sight throughout South Yorkshire. Sheffield Crown Court was told, Sunderland, known as "Fista" or "Fisto", took photographs of sites he had sprayed but never used foul language or sexual or racial abuse. Judge Moore said his case was "exceptional" and others must be deterred.

"If the people of this area could see the photographic evidence of the damage you have caused they would probably be very shocked," he said. "People throughout the county will know what the Fista man did. The message from this court is clear. If you set out to target and spray the buildings of the people of South Yorkshire you will go to prison for a long time."

Sunderland's career began when he asked Barnsley council if it would provide walls for graffiti artists. The council refused and so the unemployed artist turned to vandalism. His main canvas was the



Simon Sunderland, whose graffiti murals were a familiar sight on buildings and bridges across South Yorkshire. Police found a huge array of spray cans at his home



urban sprawl of his native South Yorkshire and included motorway bridges and railway tunnels.

Working at speed and at night in his favourite colours of red, black and silver his paintings appeared on hundreds, possibly thousands, of sites. He once sprayed a double-decker bus that had broken down. On one occasion a passer-by challenged him as he sprayed. Sunderland's response was to turn

around and spray the man. Police, councils and transport authorities throughout South Yorkshire were alerted to his handiwork in the summer of 1992.

For months council officials tried to track down the culprit and thousands of pounds was spent setting up a team of "grimebusters". It cost £7,000 just to remove his work and the operation to tidy up the city from all graffiti, not just Sunderland's, cost £500,000 a year in taxpayers' money.

Sunderland was arrested when an off-duty police officer saw him spray-painting a bridge over the M1 at Birdwell, near Barnsley.

In the bedroom of his former home at Worsbrough Bridge, Barnsley, police discovered a vast array of spray paint cans, marker pens and maps of the territory he covered. They discovered he belonged to a rave-style sub-culture where graffiti was considered an art form. The

officers traced a shop in Nottingham where Sunderland took films of his "artwork" to be developed. He was videoed collecting the film.

The investigation centred on South Yorkshire although Fista murals have appeared in the North Midlands and on London tube trains. Sunderland admitted 14 specimen charges of criminal damage between January 1992 and August 1993 costing £7,000. David McGonigal, for the

defence, said he now realised his behaviour was unacceptable and wanted to channel his skills into lawful activity.

"He is planning to take a course in fine art. He is keen to improve himself and broaden his horizons," he said. In an interview with a Sheffield underground magazine Sunderland explained the attractions of his art. "I look for walls wherever I go. It gives me a buzz when I see it. It feels like people know you."

Sunderland had previous convictions for criminal damage and theft of spray cans stretching back to August 1990 and committed several offences while on probation for criminal damage.

Two teenage graffiti artists prosecuted in Newcastle in 1994 were sentenced to three months each in a young offenders' institution after their four-man gang caused £300,000 worth of criminal damage to public property.

## NEWS IN BRIEF

## Aircraft hit deer on take-off

A passenger plane carrying 20 people had to make an emergency landing after hitting two deer on take-off from Teesside International airport, Co Durham, on January 29, it emerged yesterday. Nobody was injured but the propeller and wheel housing were damaged. Pilots have been asked to watch out for deer and the area is now routinely checked by Air Traffic Control.

## Rapist escapes

Police started a nationwide manhunt after a convicted rapist clambered through a window and escaped from a secure psychiatric unit at Milton Keynes General Hospital in Buckinghamshire. Paul Bates, 41, was jailed for eight years in March 1995 for rape and sexual assault.

## Switched-on city

Aberdeen officially launched its city centre closed-circuit television system, which is due to become the largest in Europe when all 53 cameras are installed later this year. The £1 million system, funded by public and private money, already has 20 cameras in operation.

## Apology to duke

The Duke of Roxburgh received a public apology in the High Court over an allegation in the London Evening Standard that his second wife had left him because of his homosexual relationship with his butler. The newspaper also agreed to pay the duke's full costs.

## Baby grands

Bringing up a child costs the average family about £20,000 from conception to age five, a survey for Asda has found. Mothers-to-be on average spend £375 "from conception to contractions", on items such as extra food and maternity wear. Disposable nappies can cost up to £651.

## Pride of place

The BBC's production of *Pride and Prejudice* has won an award from the English Tourist Board for an outstanding contribution to English tourism. The £1 million drama, widely shown abroad, was filmed in Wiltshire, Cheshire, Derbyshire and Warwick.

## Going for growth

A mower that uses solar power to cut grass by itself is to go on sale. The £2,000 Husqvarna machine contains a computer to monitor light conditions and decide when to cut the grass. A low-voltage electric cable marks the lawn boundary to stop the mower going astray.

## VC won in war's final days fetches £22,000 at auction

By JOHN YOUNG

ON NOVEMBER 2, 1918, nine days before the Armistice, Regimental Sergeant-Major James Clarke commanded a Lancashire Fusiliers platoon in the final advance on the German lines in Picardie.

His "conspicuous bravery" won him the Victoria Cross that was sold at auction at Spink's, London, yesterday for £22,000. The anonymous buyer also paid £19,000 for a VC and Distinguished Conduct Medal won a few weeks

earlier by another Lancashire Fusilier, Lance Sergeant Edward Smith.

RSM Clarke, from Winsford, Cheshire, went to France in 1915. His citation states that during the Battle of the Somme he "led his men with great determination and, on being held up by heavy machinegun fire, rushed forward through a thick, strongly held ridge, captured in succession four machineguns and single-handedly bayoneted the crews."

Later he led the remains of

his platoon to the capture of three machineguns and many prisoners. RSM Clarke died in 1947 and was buried in Rochdale with full military honours.

Lance Sergeant Smith, from Maryport, Cumbria, won his DCM at the Battle of Amiens in August 1918. Two weeks later, during the Battle of Bapaume, he won the VC after he captured a machinegun post. "Regardless of all danger, and almost without halting in his rush on the post, this NCO shot and killed at least



Clarke captured guns

six of the enemy," his citation said. In 1939 he re-enlisted as a lieutenant and served with the British Expeditionary Force in France where he was wounded and died on January 12, 1940.

## Declining vision turns old age into twilight existence

FAIRGROUND mirrors distorting the image of the viewer do not cause alarm because the reason for the effect is obvious. But some elderly people become concerned when they look at their bathroom tiles and find the squares are distorted.

General vision in the old becomes progressively worse. They find they have to hold books more closely, need stronger magnifying glasses and more light to illuminate the page.

One of the common causes of this progressive loss of sight is macular degeneration, in which the retina becomes as thin as an old pair of pyjamas, and the blood vessels behind the retina intrude into those areas that have declined through wear and tear. Once blood vessels protrude into the retinal pigmented epithelium, they wrack the remaining patches of retina out of position, they leak fluid, cause haemorrhages and scarring.

Various efforts have been



Dr Thomas Stuttford

made to stop the growth of the blood vessels. This week an American has written to *The Wall Street Journal* complaining that, although by virtue of his sex he cannot become pregnant, he is being denied by the Food and Drug Administration treatment with thalidomide at a clinic in Philadelphia. Thalidomide, which became internationally notorious for causing foetal abnormalities, has the ability to stop vascular budding of blood vessels and thereby the blood vessels from proliferating.

In Britain, specialists have known about the effect of thalidomide on the blood vessels for some time. A spokes-

man for the Royal College of Ophthalmologists said trial results in America were unlikely to be dramatic. "In Britain we are working on similar lines and there have been some encouraging results with radiotherapy which could possibly offer a better chance of success."

Robert Cooling, medical director at Moorfields Eye Hospital, believes that the clue to treatment of macular degeneration lies in work on tissue transplantation, which could give a patient a healthier retina. He is gloomy about the long-term success of projects which rely on inhibiting the blood vessels that take advantage of a faulty retina.

## Low-flying RAF pilot 'terrified baby girl'

By PAUL WILKINSON

PANDEMION broke out in an English village when an RAF pilot buzzed his family home, a court martial was told yesterday.

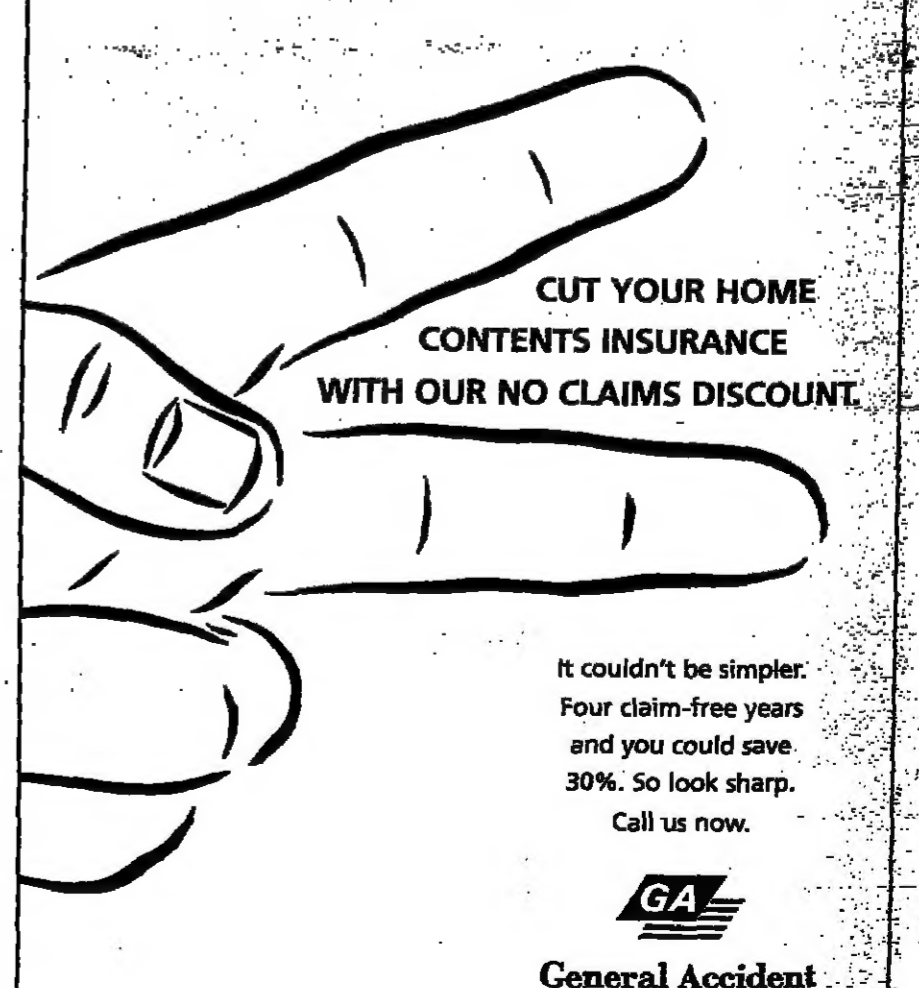
A two-year-old girl was terrified and animals panicked as the Hawk jet swept low over Staple in Kent, where the parents of Flight Lieutenant Nicholas Paine, 28, live. One woman told the military court that it reminded her of the Second World War and said she could clearly see the pilot in his cockpit.

Karen Young said the jet flew closely over 30ft-high trees in her garden. She told the hearing at RAF Leeming, North Yorkshire, that her granddaughter cried and clung to her. "It took her three months to accept that any plane wasn't going to do the same thing," she said.

Flt Lt Paine denies flying in a manner likely to cause distress. The court martial has heard that Flt Lt Paine, who at one time was the youngest RAF pilot to fly F3 Tornado fighters and had been on sorties over Bosnia, was returning from an exercise at nearby RAF Manston.

He decided to mark his birthday the previous day with a "visit" to his parents, Robin and Alexandra Paine at Mill Cottage, Staple. Wing Commander Kim Barlow, for the prosecution, said the jet flew low but it was not suggested it went below 250ft. Dee Cullen, a teacher, said: "The horses bolted and my peacock hid in his hutch for three days."


The hearing continues.



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Government says no to harmonisation for its own sake and integration driven by ideology

# Britain will be guided by the national interest

By Philip Webster, Political Editor

THE bedrock of the European Union is the independent democratic nation state, John Major states in a foreword to the White Paper, *A Partnership of Nations*, published yesterday.

Underlining his determination to keep Britain at the heart of the debate about Europe's future, the Prime Minister declares: "We shall pursue our national interests, as our partners pursue theirs, yet with a strong sense of shared purpose and common enterprise." He adds: "It is in the interest of the European Union that it should develop with the grain of national cultures and traditions, especially as it enlarges to the east and south. That is the United Kingdom's interest too."

The document states that the UK's role as a leading member of the European Union is "vital to our national interest". Despite its substantial achievement the EU is experiencing a period of uncertainty and self-doubt. The Maastricht process polarised opinion in several member states and exposed a level of public unease and alienation which must concern all those, like the Government, who want the EU to fulfil its potential.

Rejecting the concept of an ever closer political union, developing gradually to a United States of Europe, the paper says that national parliaments "must remain the central focus of democratic legitimacy".

It says: "We shall not accept harmonisation for its own sake, or further European integration which is driven by ideology rather than the prospect of practical benefit. Above all we shall be guided by a cool assessment of the British interest. Common European decision-making, as opposed to co-operation, can only be justified where it brings benefits for British security, prosperity and quality of life which are so significant that they justify some loss of unfettered national control over decision-making in the area concerned."

The EU needs to accept a degree of flexibility without falling into the trap of a two-tier Europe with a hard core either of countries or of policies. "There may be areas in which it is perfectly healthy for some member states to integrate more closely or more quickly than others. It is important, however, that such policies only become

Union policies, and draw on the Community's institutions, including the budget, where this is agreed by all."

The following is the Government's position on the key areas identified as issues for the inter-governmental conference:

**Legislative process:** The Government will be bringing forward proposals to entrench subsidiarity further into the Treaty of Rome and a more systematic consultation of business, parliaments and other interested parties about future legislation. It will continue efforts to reduce the regulatory burden of European law. It is considering ideas for limiting the scope of EU action in some areas, in particular to prevent the health and safety article being used for social policy, by the back door, and for improving the monitoring and enforcement of European legislation.

**Qualified majority voting:** The

**Decisions to send servicemen to risk their lives are for national governments**

Government believes that there is a strong case on grounds of democratic legitimacy for increasing the relative influence of the more populous states, such as the UK, which wields 10 votes out of 87. At present the system gives one vote for every 200,000 Luxembourgishers but only one for every 8 million Germans and one for every 6 million Britons.

But it opposes a further extension of qualified majority voting. "At a time when there is serious public concern about the centralisation of decision-making the case has not been made for making it easier to override the objections of member states in matters of particular sensitivity. We do not accept the argument that unanimity in those areas to which it currently applies would be incompatible with effective decision-making, even in an enlarged Union."

**Commissioners:** The Government understands the importance that member states attach to hav-

ing their own commissioner. "With further enlargements, however, it may not be appropriate to retain the present system."

**The European Parliament:** Ruling out new powers for the Parliament, the Government says it is most likely to win public support and develop its role by the responsible exercise of the powers it already has, particularly by monitoring and restraining EU spending and fighting fraud and mismanagement. It does not accept "in a Union of nation states, that the European Parliament can displace the primary role of national parliaments".

**European Court of Justice:** The Government says it is committed to a strong independent court without which it would be impossible to ensure the application of EU law and prevent abuse of power. But its functioning can be improved. Some judgments have imposed disproportionate costs on governments or business, even where they have made every effort to meet their obligations. The Government's proposals include:

□ Strengthening the ability of the court to limit retrospective application of its judgments

□ Introducing the principle that a country should only be liable for damages in "cases of serious and manifest breach of its obligations"

□ Applying a national time limit to all cases based on EU law

□ Bringing in streamlined procedures for the rapid amendment of EU legislation which has been interpreted in a way never intended by ministers

□ An accelerated process for time-sensitive cases.

**Common foreign and security policy:** While it is in Britain's interest that members of the EU should speak and act together as much as possible on the world stage, "we must be clear that CFSF can never become an exclusive policy which would replace national foreign policy. Where specific British interests are at stake we shall insist upon retaining our freedom of action. We shall not therefore accept a commitment to be constrained by collective decisions which we do not support."

The Government says it will be pressing for a more active and effective CFSF while maintaining its inter-governmental character. The IGC will look at further options to improve the planning

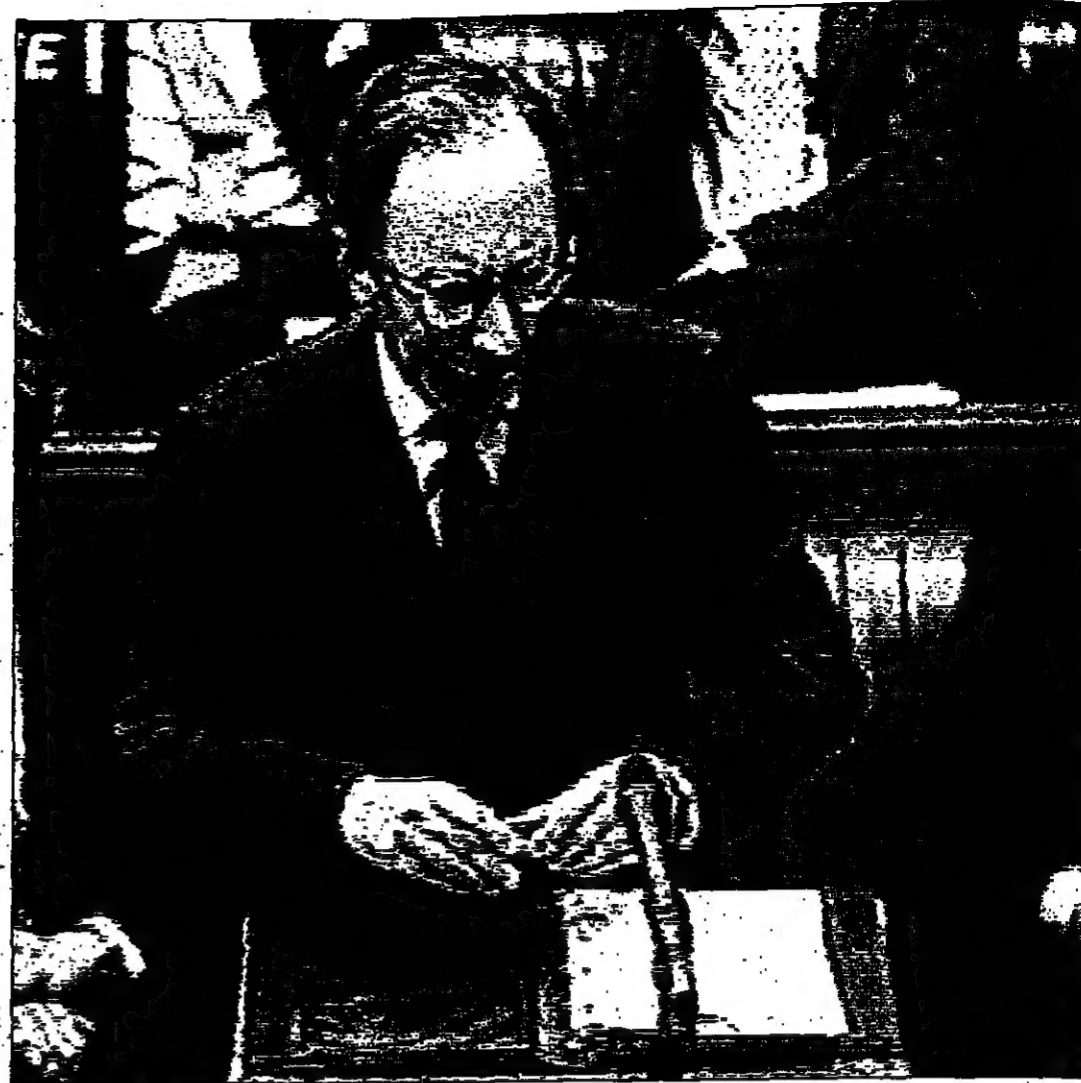
and analysis of the policy as well as proposals to increase coherence. "In particular we are ready to look at the idea of appointing a single figure to represent the foreign policy of the Union to the outside world for CFSF. The terms of reference for this office would need to be carefully drafted to make clear that such a figure was fully answerable to the Council of Ministers, representing the collective views of member states and not deciding them."

The Government does not accept that the unanimity provisions for the policy are a constraint on its development, nor that it would be strengthened by the introduction of voting models which overrode the concerns of a particular member state. "If there is no collective will within the European Union to act, it is unwise to try to force action through artificial voting procedures." CFSF will only carry weight internationally if it represents a genuinely common policy, not a majority one.

**Defence:** The Government is keen to develop European defence co-operation. But questions of defence go to the heart of national sovereignty. "Decisions to send service men and women to risk their lives are for national governments, accountable to national parliaments. They are not matters for decision in the European Union. Member states must be free to act in defence of their national interests. Our proposals are rooted in that conviction. They are also based on our belief in the overriding importance of the Atlantic Alliance as the bedrock of our future security." Sustaining a strong EU commitment to European security is an essential part of this.

But in the case of smaller peacekeeping or humanitarian operations it will not always be reasonable to expect the US to participate. European defence co-operation must therefore be organised in such a way that, while bearing their full share of the burden within Nato and without building new structures that duplicate those already in the Alliance, European countries are also able to act on their own when necessary.

The Western European Union provides the best framework for the further development of this co-operation. The EU does not have



Malcolm Rifkind, the Foreign Secretary, making his statement to the Commons yesterday

any of the operational expertise or working understanding with Nato which the WEU has gradually acquired over the last few years. It would be inappropriate for the Commission, European Parliament or the European Court of Justice to have any role in defence decision making. The WEU should

**We cannot be forced to give up our opt-out from the social chapter**

be kept as an autonomous organisation within its own treaty base and its operational capabilities should be developed to enable it to operate effectively in peacekeeping, humanitarian and other limited crisis-management tasks.

**Justice and home affairs:** Organised crime, terrorism, drug trafficking and illegal immigration must be tackled on a multinational

basis. But these are matters of high domestic political sensitivity involving questions of national sovereignty such as the rules governing the admission of third country nationals, operations of police and customs and the criminal justice system. "There can be no question of supranational solutions imposed on member states in these areas." This area of work requires special procedures in the "third pillar", where all decisions must continue to be taken by unanimity and the role of the Parliament, Court and Commission are strictly limited.

**Role of national parliaments:** National parliaments remain the primary focus of democratic legitimacy in the EU, holding ministers to account. The Government wants to develop this role. It wants a minimum period for parliaments to scrutinise Community documents and notably draft legislation introduced in the Treaty of Rome and a greater role for national parliaments in the justice and home affairs pillar.

**Social chapter:** It is no secret that other wish to see the UK's opt-out removed. "The Government's position, however, is well known

and equally constant. We were not prepared to accept the social chapter proposed at Maastricht. The UK will not give up its opt-out and cannot be forced to do so."

**Common fisheries policy:** The Government accepts the need for a CFP, but believes its operation must be improved. It is determined to address "quota hopping" and other problems. "If treaty changes are needed we shall seek them."

**Animal welfare:** Further progress is needed to achieve a real and lasting improvement in welfare standards. The Government will put forward a proposal at the IGC to incorporate the principle of animal welfare in the Treaty of Rome, calling on EU legislation to pay full regard to the welfare requirements of animals.

The paper concludes that the Government's approach is "constructive, realistic and rooted in the British national interest". The IGC offers a chance not only to introduce practical reforms but to reassure people that the EU "remains the servant of its members, not a threat to their independence. That is the right way to build public support."

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## Stand by for much posturing between now and the election

The most revealing sentences in yesterday's White Paper were about the IGC timetable. "There is no fixed end-date for the IGC. It is likely to last between one year and 18 months." In other words, until after the next British election. The White Paper is not intended to produce an early agreement. It is about preventing a Tory split.

Malcolm Rifkind played his cards skilfully yesterday. He emphasised the benefits of EU membership, but then talked about resisting the drift towards supranational institutions, as summed up in the White Paper's title, *A Partnership of Nations*. He touched all the right buttons in his list of British proposals - subsidiarity, limits to Community competence and action, keeping foreign, defence and home affairs matters the responsibility of national governments and of inter-governmental co-operation; and reform of the workings of the European Court of Justice.

The latter is what angers Tory MPs most at present and Mr Rifkind's proposals to limit the retrospective application of judgments, for an appeal system and to apply a good

faith test in assessing damages went down well.

Consequently, Mr Rifkind ensured that the White Paper was not immediately denounced by the sceptics - partly thanks to some assiduous briefing beforehand. Who was it I spotted in the Ambassador's Waiting Room next to the Foreign Secretary's office yesterday morning but Iain Duncan Smith and Bill Cash? Ministers were drawing the sceptics' attention to paragraph 20(f) limiting the scope of Community action "to prevent the health and safety article being used for social policy by the back door and to prevent fiscal measures being backed onto single market or environmental proposals".

But the sceptics' restraint may not last long. The White Paper is a good deal less sceptical in detail than Mr Rifkind's public rhetoric. Paragraph 12 says: "We must be realistic therefore about the sort of changes we can hope to achieve at the IGC, just as we are clear about the sort of changes we will not accept. If we were to press ideas which stand no chance

of general acceptance, some others would seek to impose an integrationist agenda which would be equally unacceptable from our point of view."

There were warnings in the Commons by several Tory sceptics about what might happen if the Government's proposals are not supported by other countries. Jonathan Aitken was merely more outspoken than most in arguing that "if by any chance these important battles were to fail... then for the first time in many years this House would have to start to seriously consider the option of withdrawal". That remains a minority view, but it shows how quickly the sceptics may condemn any sign of "backsliding" by the Government and to demand tougher measures.

How long will the sceptics be willing to give the Government the benefit of the doubt? Tough language about treaty changes over the European Court may limit public rumblings for the moment, though many Tory MPs are always ready to raise the stakes on anything to do with

Europe. The Labour response yesterday was revealingly subdued. Robin Cook made much of Tory divisions but, uncharacteristically, welcomed some of the substance - in particular, the sections on justice, defence and foreign policy. Labour does not regard Europe as a big election issue.

So until the election we are likely to have a good deal of posturing, not just from Britain but from other EU members. The real negotiations will start in a year or so. But, as a chart in the White Paper underlines, the IGC could then easily become entangled with the start of far more important negotiations in 1998 on enlargement, monetary union and a review of budgetary arrangements. The White Paper is merely a preliminary manoeuvre in this long campaign.

PETER RIDDELL

## Rifkind risks bold strategy

By George Brock, European Editor

WITH the publication of yesterday's White Paper, Malcolm Rifkind has finally emerged from the long shadow cast by his predecessor as Foreign Secretary, Douglas Hurd.

For Mr Rifkind, a politician who shares the reputation for caution and care traditionally associated with Edinburgh lawyers, risks offending his counterparts in the rest of Europe with a strategy the polite Mr Hurd might have declined.

The momentum of European integration may have slowed during the past few years, but it is still powerful enough to deliver regular reminders that Britain is in a minority on many issues. Britain does not have an ally - as does France, which can count

on almost automatic support from Germany - to help to achieve the kind of success General de Gaulle won by a combination of secret diplomacy and plain obduracy.

The White Paper, appearing just under three weeks before the EU's inter-governmental conference (IGC) is launched in Italy, brings the negotiating agenda into focus. Both the French and German Governments have been uncharacteristically vague about their aims so far.

The main flashpoints between Britain and her partners appear to be the extension of majority voting; arguments over words about future European defence; crime and immigration; and the powers of the European Court of Justice and the European Par-

liament. Lurking beneath this agenda is the potentially crucial issue of whether the EU treaty will be changed to give explicit approval to states that want to integrate further or more quickly than their partners.

The outcome of the IGC, likely to become the Treaty of Amsterdam in June next year, will heavily depend on how Britain, France and Germany can resolve their differences. On majority voting, Germany and France are committed to overcoming Britain's resistance. Formulas on European defence divide Britain and France, leaving Germany stranded in the middle. On immigration and the powers of the European Parliament, France may join Britain in resisting significant change.

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# Tory sceptics still fear a federal superstate

By Nicholas Wood, Alice Thomson and Jill Sherman

**HARDLINE** Tory Euro-sceptics warned the Government yesterday that its White Paper would not halt the drive towards a federal Europe.

Jonathan Aitken stunned MPs by saying that the time could be approaching to consider pulling out of the European Union. And Norman Lamont said that all the elements were now in place for a European superstate.

But Malcolm Rifkind's promise of a renewed effort to curb the powers of the European Court of Justice appeared to be winning support among a significant group of right-wing Tories who have recently concentrated their energies on influencing policy from within.

Sir Michael Spicer, who led the Maastricht rebellion but now chairs the European Research Group, said that the 38-page document had given hope to those who believed that taking back powers from the court was the way to block a federal Europe. He was encouraged by the Government's readiness to challenge the court's tendency to fashion

social policy by the back door and to deal with the "ratchet effect" by demanding that EU directives need not be irreversible. "But the question is: can specific actions be put behind the rhetoric?"

Both groups of sceptics are united in their belief that only by clawing back powers from Brussels can Britain stop itself being sucked into a European superstate. But they were divided over whether the White Paper signalled genuine concessions by the Government.

Hardliners said that the threat of a revolt remained. Another fierce critic of the Government doubted that ministers could achieve their objectives given the veto wielded by other member states.

In the Commons, John Redwood, the sceptics' unofficial leader, allied himself with the hardliners, calling for a tougher stance by ministers. He said: "Given the way the European Court is demolishing our fishing industry and our social chapter opt-out, will the Government look at stronger measures to assert the

rights of this Parliament against the court?"

Mr Lamont told the Foreign Secretary: "The real test of what you have said is whether this country can, over the next few years, avoid being sucked into a European state of the kind which I discovered at the last inter-governmental conference many of our partners do actually want."

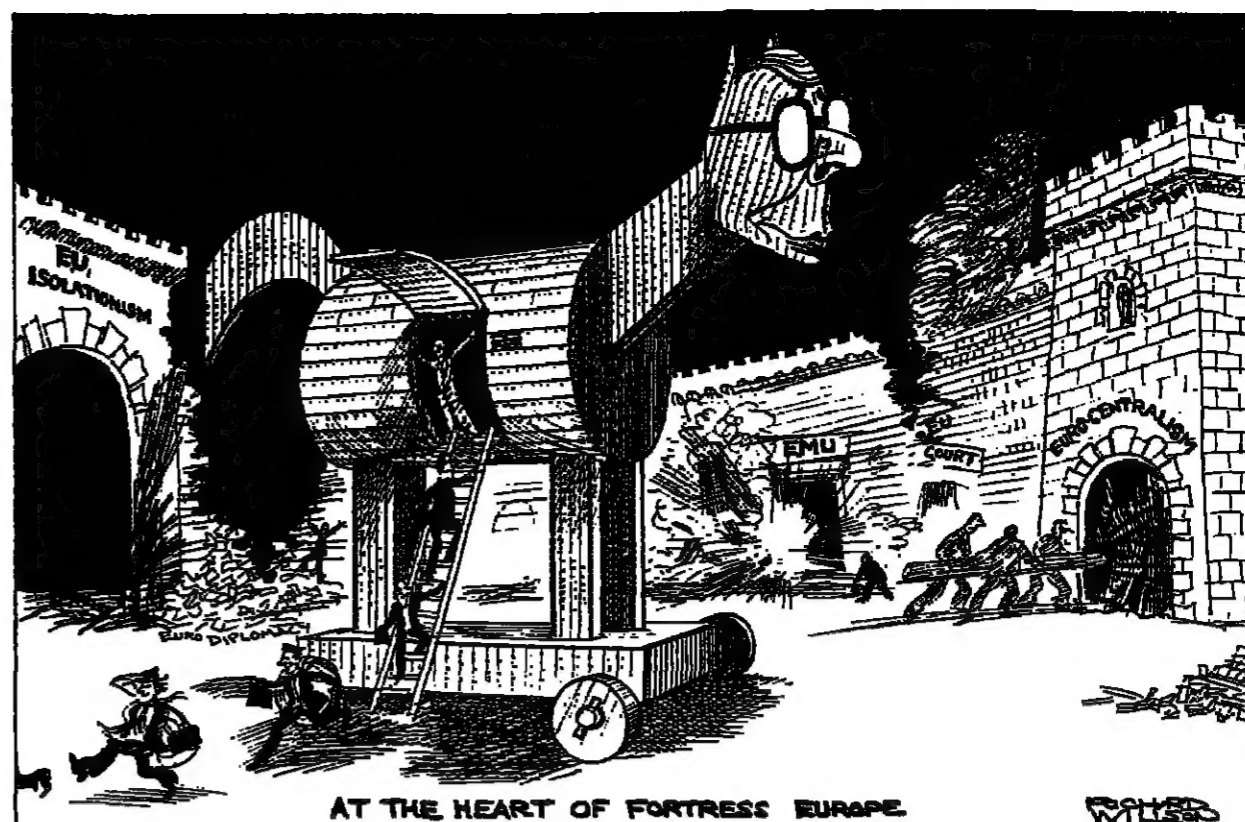
Mr Aitken said: "I welcome those parts of the White Paper which seem to strike some good Euro-sceptic themes for the first time. But may I warn you that if by any chance these important battles you and your team are going to fight were to fail, or if they were to be surrendered by the so-revealingly new Euro-philic Labour front bench we heard this afternoon, then for the first time for many years, this House would have to start seriously considering the option of withdrawal."

Nicholas Budgen, one of the former whipless Tory MPs, praised Mr Rifkind for making it plain that Britain didn't want any further moves towards federalism in Europe.

"But may I suggest to you that that may not be enough for the British people, and that at some stage we are going to have to say 'no' to one of the ludicrous laws that come from Brussels — to disobey, and thus demonstrate to the peoples of Europe that we must have a looser relationship."

Bill Cash, Tory MP for Stafford, called for a renegotiation of the Maastricht treaty. He said: "There is a clear sense in the electorates of Europe and in the UK that when one looks at the question of Bosnia, the exchange-rate mechanism, fishing, monetary union and a whole range of other matters the Maastricht treaty has failed the people of Europe."

Pro-European Tories were also split with Edwina Currie, a vice chairman of the cross-party European Movement, giving it five out of ten. "The White Paper would be far better if the government could move towards more of the pro-European proposals for reform that are on the table," she said. "One person's 'improvement' [frequently mentioned



AT THE HEART OF FORTRESS EUROPE

in the White Paper] is another person's concession. The UK Government will have to move from its position."

But Tim Rathbone, Tory MP for Lewes, welcomed the document and attacked the sceptics' pressure for a referendum on a single currency. "Those people who defend the rights of Parliament seem to

be those people who argue most vociferously for having a referendum which would undercut those rights," he said.

Dennis Skinner, Labour MP for Bolsover, went further than any of the Tory Euro-sceptics condemning the EU as 23 years of "unmitigated disaster". He said: "Millions of people out there are longing

for someone to say and admit that it's not worked, that the halcyon days are over."

Robin Cook, the Shadow Foreign Secretary, said that Labour "totally endorsed" what Mr Rifkind had said about justice, home affairs and the common foreign security policy, but he had failed to contribute to the single

currency debate. Mr Cook accused him of "pandering to the Tory backbenchers, trying to balance both sides", and said: "Mr Rifkind has come up with a White Paper that tries to please everyone and, as a result, will please no one."

Simon Jenkins, page 18  
Leading article, page 19

## Brussels greets 'positive tone' with relief

FROM CHARLES BREMNER IN BRUSSELS

THE White Paper was greeted with mild relief in Brussels yesterday as diplomats and Commission officials noted the Government's "unambiguous commitment" to the EU and that it had not sought to "repatriate" powers.

The White Paper's pledge that Britain will play a leading role in the EU and its definition of democracy and prosperity offered some reassurance to officials and diplomats who were concerned by the increasingly Euro-sceptical rhetoric coming from London. Although the paper included the expected calls for reining-in the European Court, it did not contain any of the radical ideas suggested by some Tory MPs, such as revoking the common fisheries policy. "It has all the usual arguments but at least they are sounding a positive note on Europe," a Commission official said.

However, much in the paper flies in the face of the Commission's desires for the inter-governmental conference, as well as those of Germany and most other member states. Just about all other states want more majority voting and more Commission management of justice

and home affairs. Most also want or will accept foreign policy actions that do not have unanimous backing.

Jacques Santer, the Commission President, says that he takes Britain's headline demands with a pinch of salt, depicting them as an opening bid in a long round of negotiation.

"Standard British pragmatism" was how one French official summed up a first glance at the document, many of whose ideas are shared by President Chirac's administration. These include the refusal to extend the powers of the European Parliament and the desire to give national legislatures more say in the European law-making process. Britain's focus on the nation state, especially in foreign and defence policy, is shared by France, as is a desire to slim down the Commission and beef up the foreign policy secretariat.

Noticeably absent from the White Paper was a British slant on schemes promoted by France, Germany, the Commission and other states for a multiple-speed Europe, allowing countries to undertake deeper integration in the EU at their own pace.

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TECHNOLOGY GONE SANE

## Treasury adviser accuses lottery of cheating the poor

By DOMINIC KENNEDY

THE National Lottery is little more than legalised fraud and must be abolished, one of the Treasury's "wise men" says today. Professor Tim Congdon says it "constitutes disguised taxation, redistributes from the poor to the rich, undermines savings and trivialises the State". He discloses that Baroness Thatcher, whom he used to advise on economic affairs, quickly rejected any notion of a state-run prize draw when Prime Minister.

"Mr Major is reported to be fascinated by the National Lottery and to regard it as an important achievement of his premiership, though Lady Thatcher, when she was Prime Minister, dismissed the idea after only peremptory consideration," Professor Congdon writes.

Camelot's licence requires it to redistribute 50.6 per cent of the stake as prizes, meaning that punters lose half their money each time they participate. So, if the public puts up



Congdon says draw was rejected by Mrs Thatcher

an initial stake of £100 million, takes part in the game for three months and reinvests its winnings each time, it will receive £28.171 after 12 weeks. Over six months, the return is £2 and over a year less than 1p. Professor Congdon says this might be called "cheating".

"If he were not deterred by the statute which created the National Lottery, a conscientious citizen should take its perpetrators, Her Majesty's Government no less, to the Serious Fraud Office," Professor Congdon writes in today's *Economic Affairs*.

Alternatively, Camelot might be referred to the Securities and Futures Authority, which has fined companies for "mis-selling" personal pension products.

Before the welfare state, poor people would put £1 a week into an insurance policy for protection against unemployment, ill-health and redundancy, Professor Congdon says. "Nowadays too many of the same group of people do not put spare cash into insurance policies, but into lottery tickets."

"A family which repeatedly spends £5 a week on the lottery and always reinvests its winnings is likely, after 25 years, to have exactly nothing in return. A family which puts £5 a week into a standard insurance policy ought, after the same term, to have an asset worth over £30,000."



The Savi's pipistrelle rests in the hand of Vicky Hose, a park ranger. The bat, found in a backyard, is only the second sighted in Britain

## Wandering bat rescued from a feline mauling

By MICHAEL HORNSEY

A BAT that was saved from becoming a meal for two cats belongs to a species seen in Britain only once before. Wildlife experts are uncertain whether the male Savi's pipistrelle was a lone stowaway on a ship or belongs to a small migrant population.

The bat, nicknamed Wallace, was cornered by the cats in the backyard

of a house in Wallasey beside the Mersey and may have escaped from a ship that docked at Liverpool on the other side of the estuary.

Vicky Hose, a senior park ranger on the Wirral, who is nursing the bat back to health, said: "The lady in the house got to the bat just in time to rescue him. Luckily there were no holes in his wings or chewed bits. Normally when they are caught by cats they have claw marks that

develop infections later." Identification of the captive, weighing less than ten grams, came ten days later from Clemency Fisher, the chief bat specialist at Liverpool Museum. She said: "Savi's pipistrelle is a warm-area bat that likes mountainous regions and is found right across the Mediterranean. Male bats travel considerable distances and will fly a long way to set up a territory of their own." The only other firm sighting of

a *Pipistrellus savii* was several years ago when it crawled out of a box of nectarines brought by ship from Italy to Wick on the northeast coast of Scotland.

When Wallace has recovered his strength, the weather is warmer and his favourite diet of insects is more plentiful, he will be released close to where he was found in the hope that he will lead watchers to the roosting sites of any fellow migrants.

## Thefts from cash machines reach a record £3.5m

By ADRIAN LEE

BANKS and building societies lost a record £3.5 million in thefts from cash machines last year. The figure was announced yesterday as banking sources said the gang that escaped with £87,000 from two cash dispensers at a Lloyds Bank branch in Peterborough, Cambridgeshire, had deliberately chosen an old-fashioned machine.

Lloyds said the machines, sited in the bank's lobby, were due to be replaced. The apparent ease and speed with which the criminals forced open the machines prompted an immediate security review of lobby services. Police said a few simple tools were all that was needed.

The machines are made by a variety of manufacturers. The type in Peterborough is being phased out as part of an attempt to keep one step ahead of criminals who prey on Britain's 20,000 cash machines, which dispense £170 million a day.

A banking source said: "It is well known within the criminal fraternity that certain types of old-fashioned machines used by two banks are easier to get into than others." Cash machines have been targets since the first was

introduced by Barclays in 1967 at a branch in Edgware Road, London. Criminals have used forklift trucks to remove entire machines and, at the opposite end of the scale, built an entire shop facade complete with fake cash dispenser to obtain the cards and Pin codes of unwitting customers.

Richard Tyson-Davies, of the Association of Payment and Clearing Services, said: "It is an ongoing battle, we are not coy about that. There are a number of scams being used by criminals. Hopefully the latest is just a one-off but there will be a review and action will be taken if needed."

He said the losses were a tiny percentage of the total amount of cash dispensed from machines.

The Lloyds Peterborough branch was open yesterday after the installation of new cash machines. NatWest, Barclays and Midland all said the raid did not have any implications for them.

The amount stolen from cash machines rose by £300,000 last year at a time when plastic card fraud fell for the fourth consecutive year. Plastic card fraud amounted to £88.3 million last year, about half the 1992 level.

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TIMING

## Nato reinforces Sarajevo suburb as Serbs leave

FROM REUTER IN SARAJEVO

MUSLIM-CROAT authorities took control of the Sarajevo suburb of Ilidza from Bosnian Serbs yesterday as Nato moved in extra troops to try to limit looting and burning by the Serbs.

The streets of Ilidza and the inner-city Grbavica district, which the Serbs must hand over next week, were saturated with French peacekeepers. Admiral Leighton Smith, US Commander of the Nato mission, said: "We've got our guys out there and we're doing everything we can, short of shooting people."

The deployment was too late to prevent the burning of many buildings in Ilidza which had survived the 3½-year Bosnian war.

The Muslim-Croat Federation in Bosnia has now taken control of four of the five Serb suburbs in Sarajevo under the Dayton peace agreement.

Their Serb populations, claiming they fear retaliation after the wartime siege of the city, have mostly fled to territory under the control of their Government.

A joint force of federation police moved into Ilidza with a jubilant crowd of civilians, but Muslim police excluded nine of its Croat members because they were wearing the blue uniforms of Croat police. The Muslims and Croats have been forced into a reluctant alliance by US diplomacy.

Political feuding did not mar the jubilation among ordinary people on the streets of Ilidza. Muslim and Croat refugees poured in to see whether their homes had survived the wave of arson. Serb police had left on Monday, firing guns and throwing grenades as they drove off, after protecting the withdrawal of the Serb population.

Sarajevo's Mayor announced yesterday that he had resigned because of the exclusion of Croat deputies from the Sarajevo cantonal assembly.

In Moscow, President Yeltsin lifted an arms embargo against the former Yugoslavia in three stages, to be completed by June 11, unless the United Nations objects.



Naina Yeltsin: "She is charming and modest, which is always highly valued in Russia"

## Embattled Yeltsin deploys wife as secret poll weapon

FROM RICHARD BEESTON IN MOSCOW

PRESIDENT YELTSIN'S campaign team has unveiled a secret weapon in its desperate search to improve the Russian leader's popularity three months before the presidential election.

In a break with the country's political tradition, Naina Yeltsin, the popular but reclusive Russian First Lady, has increased her public engagements and raised her profile in a move that Kremlin image-makers hope could be an important factor in winning votes for her husband.

In the five years since President Yeltsin came to power, his wife, aged 63, a homely grandmother of four, has remained behind the scenes of Russian politics, preferring to keep the family out of the limelight. However, over the past few months Mrs Yeltsin has appeared to be coming out of her shell. Firstly, she began making foreign trips, then she was quoted championing

women's causes and defending the rights of pensioners.

Recently Oleg Soskovets, the Deputy Prime Minister and the Yeltsin campaign manager, confirmed that Naina and her daughter, Tatyana, would be playing crucial roles in the re-election drive.

Now hardly a week goes by without Mrs Yeltsin making public appearances. Last month at a festival she took part in a traditional Russian folk dance, ate blinis (pancakes) and chatted with ordinary Muscovites. Last week she was given a rousing welcome when she accompanied her husband to a production of Gogol's *The Government Inspector*.

There is no tradition of wives involving themselves in Russian politics. Larissa Vasileva, the author of *Kremlin Wives*, a history of the wives of Soviet leaders, said: "But Naina Yeltsin could become a big political asset for the President. She is very natural and very practical. She could help Yeltsin to reconnect with the people. We will be seeing much more of her in the coming weeks."

The involvement of Russian wives in politics can be a two-

edged sword. The 18th century in Russia was dominated by powerful women, notably Catherine the Great, who ruled for 34 years. However, Tsaritsa Alexandra's unpopularity contributed to bringing down the Romanov dynasty.

More recently, wives of the Soviet leaders were excluded from political life, with the exception of Raisa Gorbachev, whose reputation as a meddler in the affairs of state increased the antipathy towards her husband, Mikhail.

Yelena Shestopal, a professor at Moscow State University, said that there was no danger of Naina Yeltsin falling into the same trap because the two women and their families were so different.

"Naina Yeltsin gives the impression of being a domestic and traditional wife," she told the newspaper *Obshchaya Gazeta*. "She is occupied with everyday responsibilities and is charming and modest, which is always highly valued in Russia."

Mr Gorbachev's backers have gathered the one million signatures needed to put his name on the presidential election ballot. (AP)

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## Sparta and Athens bury the hatchet

FROM JOHN CARR IN ATHENS

NO LONGER will Athenians and Spartans spear each other on the field of battle. The Peloponnesian War is formally at an end, 24 centuries after it started.

The Mayor of Athens, Dimítris Avramopoulos, and the Mayor of Sparta, Demosthenis Matalas, buried the hatchet in Sparta on Sunday — exactly 2,400 years after Athens surrendered — by signing a 200-word declaration pledging "unbreakable bonds" between the two cities whose rivalry dominated classical Greece.

The climax of that rivalry was the 27-year Peloponnesian War, which marked the start of Athens's decline as a leading Greek power. The historian Xenophon, who recorded the last years of the war, does not mention any treaty.

Nobody gave this a thought until the conservative Sparta city council, as a gesture to a fellow conservative, made Mr Avramopoulos an honorary citizen. Mr Avramopoulos saw the chance to make official something that most Athenians would probably have liked to forget.

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Defences are strengthened as nervous islanders clamour for passports and dollars

# China warns US of 'danger in giving Lee wrong signals'

FROM JAMES PRINGLE IN PEKING

AS CHINA yesterday began military exercises in the strait opposite Taiwan with mock bombing runs and at least ten warships, Peking admonished the United States for sending aircraft carriers to the area, saying this could encourage Taiwan's leaders to think that they had American support for independence.

Taiwan has strengthened defences on its offshore islands in case mainland troops attempt to seize one, and there has been a rush of applications for passports. Residents fear that this time Peking's threats must be taken

seriously. Others are moving their money offshore. "I am not afraid," said Wang Chun, 68, a veteran of the civil war in China. He lives in the Pescadores, one of the closest points to the latest exercises. "There are a lot of seagulls around here and I stand a better chance of being hit by one of their missiles than one fired by the Chinese."

The eight-month crisis has turned Taiwan's stock market into a rollercoaster, and its vaunted foreign currency reserves have been drained by a run on dollars.

"Through waves of more and more menacing military moves, China is demonstrating its ability to influence Taiwan's financial markets and the overall economy," said Chen Wen-lang, an economist at the China Trust Bank.

Despite government efforts to prop up the markets, public confidence continues to fall with every Chinese missile test and military exercise.

The exercises are due to last eight days and precede Taiwan's first presidential election on March 23, which Peking says will preface a move towards independence. They follow the launching of at least four Scud-like M9 missiles since last Friday into waters near Taiwan's two largest ports.

The US aircraft carrier USS Independence and escorting vessels were by yesterday sailing about 100 miles east of Taiwan, while a second American naval force, headed by the carrier USS Nimitz and including a submarine, was on its way from the Gulf — the biggest naval buildup in the region since the Vietnam War, according to military sources.

The US vessels would be in what Warren Christopher, American Secretary of State, said was "a position to be helpful" — though he did not specify what kind of help.

Quemoy, less than one and a quarter miles from the mainland, is Taiwan's defensive front line, and local authorities there were prepar-

ing to raise combat readiness to one level short of imminent war. All soldiers on leave have been recalled and troops were digging new trenches along roadsides. China shelled the island in 1958.

On Taiwan itself, travel agents reported a doubling in people wanting to leave. At the Foreign Ministry, hundreds of people queued to renew or apply for passports. "I want to leave," said Ms Chen Wen-chun, 28, a teacher. "I am afraid they will attack."

In Peking, Shen Guofang, Foreign Ministry spokesman, told a news conference in unusually sharp language: "Let me caution the US side that Taiwan is an inalienable part of the People's Republic of China and the Chinese people are entirely able to handle their own business."

"What I want to emphasise

here is that the US should be careful about sending a wrong message to the Taiwan authorities that it would support and abet the latter's 'splinter' activities," he added. "If the Taiwan authorities misinterpret that message, real danger would really emerge."

**'I stand a better chance of being hit by a missile from one of the seagulls here than one fired by the Chinese'**

Mr Shen blamed America for its alleged role in the current tension in the strait. He accused Washington of committing wrongful actions by allowing President Lee Teng-hui of Taiwan to visit America last June, by selling advanced weapons to Taiwan,

and by upgrading diplomatic ties with Taipei. Such actions had "served to support and abet the Taiwan authorities' separatist activities", and contributed to volatile Sino-US relations.

The spokesman recalled the American Civil War when, he

said, the Americans were opposed to outside interference and stressed territorial integrity and sovereignty.

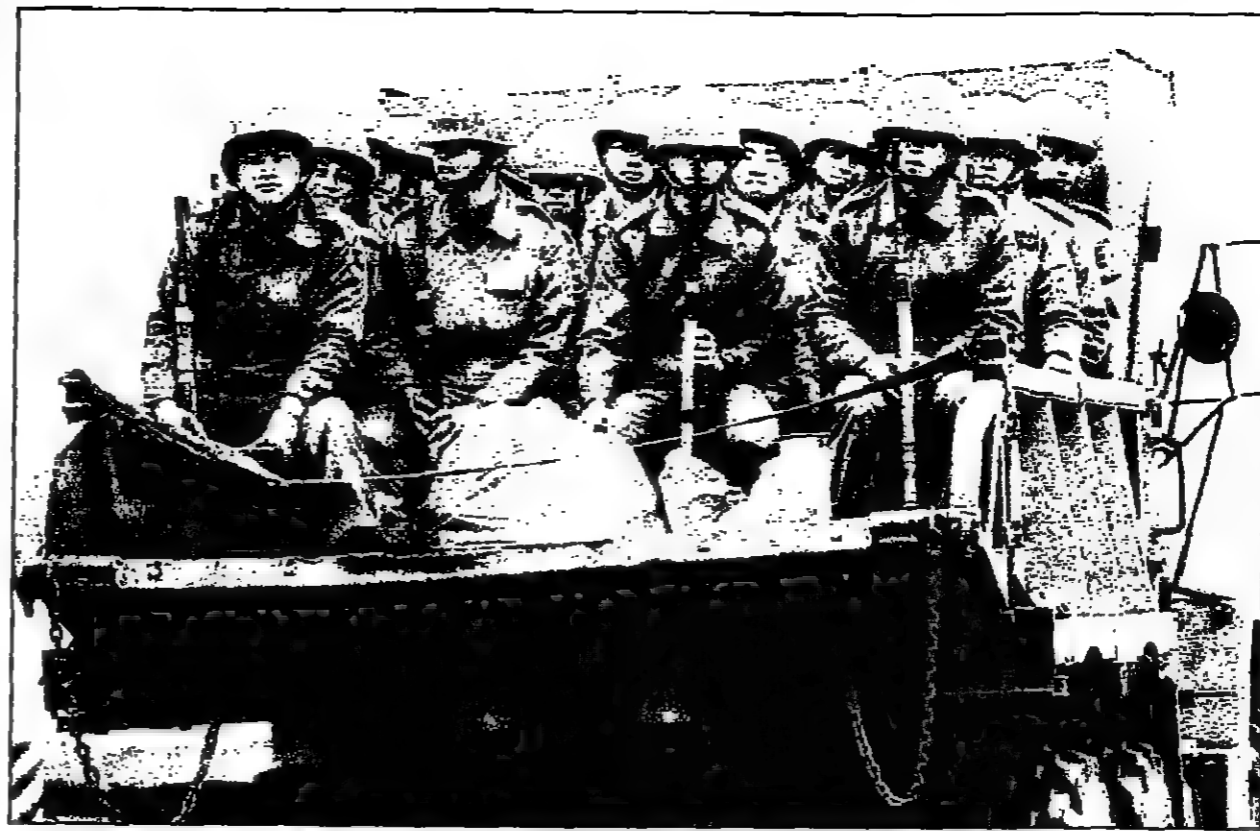
China's Communists and Nationalists fought their own civil war which, in effect, has never formally ended but only been suspended. It resulted in

Mao's forces driving out those of Chiang Kai-shek to Taiwan (then Formosa) in 1949.

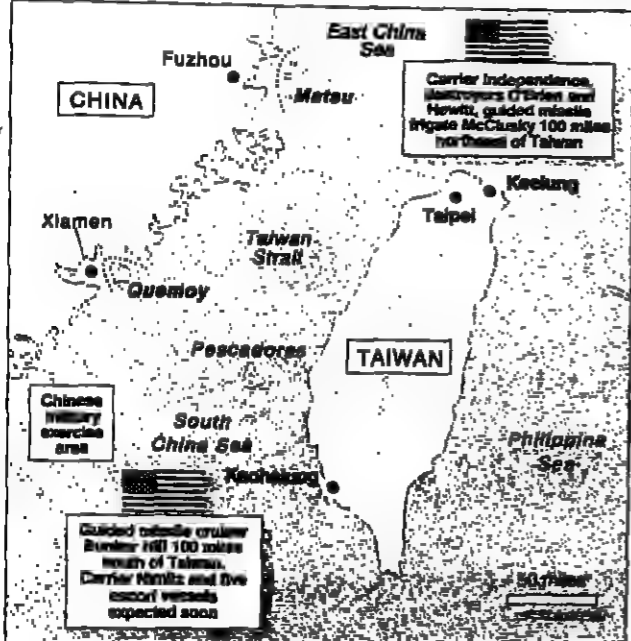
As tension has mounted, Peking-based correspondents have been denied permission to visit Fujian or Guangdong provinces opposite Taiwan until next month.

President Lee, himself a member of the Nationalist Party which believes in one China (though one ruled by the Nationalists), has said he does not favour independence for Taiwan, as Peking claims, but that reunification depended on democratisation by the Chinese Government.

He reiterated this week that Taipei did not want war with China. But Chiang Chung-ling, Taiwanese Defence Minister, has said Taiwan could fight if Peking's forces violated its territory or its 12-nautical-mile territorial limits.



Taiwanese troops on the western island of Penghu yesterday after Taipei put its forces on a heightened state of alert



## Chorus grows on Capitol Hill for clear commitment to Taipei

FROM TOM RHODES IN WASHINGTON

THE Chairman of the Joint Chiefs of Staff, General John Shalikashvili, yesterday added his voice to those of the top American officials who have condemned Chinese military action in the Taiwan Strait.

The dispatch of two American battle groups to the region was a clear signal, General Shalikashvili

said, that the United States hoped the situation would return to normal "very soon".

Despite such repeated warnings from military officials, from William Perry, the Secretary of Defence, Warren Christopher, the Secretary of State, and President Clinton, America remains deliberately vague about the depth of its commitment to the defence of Taiwan. This policy of "strategic

ambiguity", explaining that any Chinese attack would be treated as a grave offence while never stipulating what could trigger American intervention, has long been viewed by Democrats and Republicans as the most prudent position to adopt.

But recent sabre-rattling by Peking in the year that America holds a presidential election has produced a rising Republican chorus of China critics on Capitol Hill and

outside Washington who are pushing for a more explicit commitment by the Administration.

Robert Dole, the Senate majority leader and front-runner for the presidential nomination, has criticised the White House for a weak approach to Chinese violations of human rights and arms accords. He has sidestepped his usual bipartisan caution over foreign policy and moved towards a more

formal embrace of Taipei. America, he said, has strong ties to Taiwan and "if necessary, we should protect them". He suggested that the Chinese were testing the wavering foreign policy of the Clinton Administration. Steve Forbes, the multimillionaire publisher and presidential rival, has said America should be prepared to go to war to defend the island.

The Taiwan issue is at the heart

of the "One China" agreement that emphasised the resumption and eventual normalisation of official ties between Washington and Peking during the Nixon and Carter Administrations. An original defence treaty between America and Taiwan was abrogated after President Nixon visited China in 1972 and recognised that Peking, not Taipei, was the Government of a single China.

### WORLD SUMMARY

#### Amnesty attacks Peking

China's economic reforms have made its people richer and given them more freedom, but the Government still systematically persecutes all political opponents, Amnesty International said today.

"Human rights violations continue on a massive scale," the human-rights watchdog said in a new report. "The authorities have demonstrated that they are willing to use any means, whether legal or illegal, to protect the established order." A Chinese Foreign Ministry spokeswoman said the report was not even worth refutation. (Reuters)

#### Turkish coalition wins go-ahead

Ankara: Mesut Yilmaz, the leader of Turkey's new centre-right coalition Government, won a vote of confidence to end 11 weeks of uncertainty.

The 261-member coalition, made up of Mr Yilmaz's Motherland Party and the True Path party of Tansu Ciller, the former Prime Minister, was formed under pressure from business and military circles to keep an Islamic party from power. (AP)

#### Three killed in gold mine riot

Jakarta: Fragile calm returned to Irian Jaya after thousands of residents rioted around the American-owned Freeport gold mine, leaving three dead, a church source said. Troops had fought rioters at the local airport and other buildings. Unrest began on Sunday after a road accident involving a resident and a mine employee. (AFP)

#### A miracle of modern science

Lourdes: The Notre Dame sanctuary at Lourdes, supposedly blessed with healing powers, to which millions of pilgrims flock annually, has gone on the Internet. The World Wide Web address is: <http://lourdes.edi.fr/lourdes>

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## Anti-corruption detectives seize top Rome judge

FROM RICHARD OWEN IN ROME

ONE of Italy's most respected judges became the latest senior victim of the anti-corruption crusade by Milan's "Clean Hands" (*Mani Pulite*) magistrates yesterday.

Renato Squillante, 71, chief examining magistrate in Rome, was arrested on corruption charges in an early-morning raid on his home led by Udo Boccassini, the leading anti-Mafia investigator.

Lawyers defending Judge Squillante said the charges against him related to the alleged payment of bribes, or *tangenti*, in return for favourable or lenient judgements. Some of the alleged incidents took place in the 1980s. The network of bribery uncovered by the Milan magistrates, beginning in 1992, became known as *tangentopoli*, embracing more than 3,000 businessmen and officials involved in corruption over the past decade.

The fact that Judge Boccassini led the team making the arrest suggests a link with her campaign against organised crime. Judge Boccassini, 46, has built a reputation as a fearless crusader against the Mafia and was instrumental in tracking down the killers of Judge Giovanni Falcone, blown up by Cosa Nostra in 1992.

The move against Judge Squillante may also be intended to counteract a public mood of slight weariness with the "Clean Hands" campaign and the perception that it has lost momentum.

The police said that Judge Squillante's arrest came after an investigation involving the bugging of a bar near the law courts frequented by members of the judiciary. The owner of the bar said yesterday that the bugging device had been hidden in an ashtray.

Judge Squillante's arrest sent shock waves through a legal profession used to repeated disclosures of high-level corruption. The judge at

one time headed the body that monitors ethical standards at the Rome stock exchange.

The arrest came as police were savouring their triumph in breaking up a drug-trafficking ring with Mafia connections in Rome and Naples. Nearly 200 people were rounded up on Monday, 40 of them in Rome, including Fabiola Moretti, a witness in the trial of Giulio Andreotti, the former Prime Minister accused of involvement in the Mafia murder of Minio Pecorelli, a journalist.

In Naples, those arrested included several prison staff and policemen accused of acting as bodyguards for imprisoned Mafia and Camorra members. One Camorra boss, Pietro Cozzolino, allegedly had lived a *dolce vita* life in prison, able to use mobile telephones to continue directing drug trafficking and gun-running.

Mezzacorona Di Maggio, a Mafia turncoat, told magistrates in this northern Italian city yesterday that he refused to give evidence at the murder trial of suspects linked to the killing of Judge Falcone because he feared for his safety. He added that he would be prepared to give evidence elsewhere and on videotape. (AFP)



Squillante: investigation involved bugging a bar



Winnie Mandela creates a new image, swapping her old African dress, left, for a business suit; friendly handshakes replace the black power salute

## Queen of controversy launches charm offensive

FROM INIGO GILMORE IN JOHANNESBURG

WINNIE MANDELA, displaying a new hairdo, wardrobe and attitude, has bounced back into the limelight in an unfamiliar role: the model politician. After a lengthy period in the wings, South Africa's queen of controversy has returned centre stage, making peace with her enemies and

talking loftily of standards in political conduct. Witnesses have reported how two weeks ago Tony Leon, leader of the Liberal Democratic Party, and perhaps her staunchest critic, choked on his lunch when she approached his table in the parliamentary dining room and said sweetly that she had decided to be friendly to all.

Complementing her new-found moderation, the flamboyant West

African dresses have been discarded for business suits and a briefcase. Her poodle-style hairdo may raise smiles, but she is determined to be taken seriously. The image overhaul comes

amid signs of a thaw in her political isolation nearly a year after the former deputy minister was sacked by President Mandela for misconduct. Along with two other populist MPs, she was this week given the important task of

mobilising support for the ANC in KwaZulu-Natal in the run-up to May's local government elections.

One South African newspaper, whose reporters were once singled out by Mrs Mandela for condemnation, have hailed "the new and improved Winnie". But it is the divorce hearings with her husband, which begin next week, that are seen as the yardstick for her supposed change of heart.

## González in no hurry to quit stage

FROM EDWARD OWEN IN MADRID

POLITICAL deadlock gripped the Spanish Government yesterday after Felipe González, the defeated Socialist Prime Minister, refused to discuss the transition of power with his conservative successor.

José María Aznar, the Popular Party leader who is trying to form a majority government, was cold-shouldered by Señor González, the caretaker Prime Minister, who was in no hurry to abandon the trappings of office.

Both appeared to agree on the key issues facing the country — European policy, the economic situation, re-

gional demands, the welfare state and terrorism — as Señor Aznar started his first round of talks with Spain's political leaders in his search for allies. But, after their 90-minute meeting at the Moncloa Palace, the Prime Minister's official residence, it emerged that for Señor Aznar the prize seemed so near, yet so far.

One of the leaders spoke clearly and confidently, appearing to have a complete grasp of the situation, while the other waffled and fudged answers, failing to spell out his game plan. Unfortunately for the electorate, the former

was Señor González and the latter was Señor Aznar.

"We do not have any hurry in this transition period because we believe that the negotiations are relatively complex and difficult. But we do not believe they will take too long," said Señor González, licking his lips over the humiliating predicament of his rival, who had demanded his resignation in the parliament almost weekly as government scandals multiplied during the last legislature.

Señor González said his party would still vote against Señor Aznar at his investiture.

This should take place within a month. With the Communist-led United Left party proposing to do the same, Señor Aznar needs the support of the Catalan and Basque nationalists to be appointed and to govern.

The conservative leader claimed that his talks with the regional nationalists were going on at "a good rhythm". However, he admitted that all the parties would have to drop part of their electoral programmes if a compromise was to be reached.

Leading article, page 19

## Nigeria runs sanction risk

London: Nigeria could face calls for an oil embargo, the freezing of assets and banning of all new investment if General Sani Abacha, its military leader, refuses to meet a Commonwealth group in the next few weeks (Michael Binyon writes).

The 53-nation group was set up at the Commonwealth summit in November to persuade Nigeria to return to democracy.

Punitive measures are already being considered by the Clinton Administration, which has circulated proposals to force General Abacha to move towards democracy.

## Violence flares again in drive for Corsican independence

FROM BEN MACINTYRE IN PARIS

ALMOST a quarter of French voters believe Corsica should be granted independence, according to a poll published this week after a fresh wave of terrorist violence in which three people were killed and the Paris home of an investigative reporter was sprayed with gunfire.

The survey, published in *Le Parisien*, found that just 61 per cent of French people thought the Mediterranean island and birthplace of Napoleon should remain French, while 24 per

cent said it should be granted full independence.

Jean-Louis Debré, the Interior Minister, has tried to launch a peace process in Corsica by opening talks with nationalists. "The other path would lead to a deadlock of violence and hatred," M Debré said yesterday.

In the past year separatist violence has claimed 40 lives. Last Friday, for the first time in the 20-year conflict, the violence spread to the mainland when the home of Guy

Benhamou, a journalist for *Libération* and an expert on Corsican affairs, was peppered with machinegun fire. M Benhamou was away but police said the incident was intended as a warning.

The journalist had recently written about alleged government talks with the "historic wing" of the outlawed Corsican National Liberation Front, the most violent of the separatist groups. The Government denies the talks are going on.

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# Health fears fail to halt Dole's march to victory

FROM MARTIN FLETCHER IN WASHINGTON

EVEN before polling was over, Robert Dole yesterday confidently predicted a clean sweep of the seven "Super Tuesday" primaries. But the private fear of many Republicans as he drives inexorably onwards to their party's nomination is that he may not be strong enough physically to survive the immense task ahead of him.



US PRIMARIES

Mr Dole is at present full of energy and in remarkably good health for a 72-year-old but, as if a year of non-stop campaigning were not grueling enough, he is still leading the Senate. Were he to defeat President Clinton in November, he would be the oldest American to take on what is unquestionably one of the world's most demanding jobs. Mr Dole spent 39 months fighting for his life after being seriously wounded in the Second World War. As a result of his injuries, his right arm is paralysed and atrophied and his left is partially crippled. He has only one kidney and his prostate gland was removed in 1991 because of cancer. In addition he takes at least five medicines to control several problems, including a high cholesterol level.

He looks younger than his years, partly because he dyes his hair and sports a near-permanent tan from sitting on the balcony of his Senate office. Exit polls have nonetheless shown that almost a third of this year's Republican primary voters are concerned about his age. This is a factor that Mr Clinton, a relative spring chicken at 49, can be relied on fully to exploit during the eight months leading up to the election.

Acutely conscious of the problem, Mr Dole has promised to select a running-mate "ready to take over on day one if necessary". He has allowed himself to be photographed working out on the treadmill in his Watergate flat, and has authorised his doctors to release and freely discuss his medical records.

These reveal that he enjoys lower blood pressure, a lower weight and better cholesterol levels than Mr Clinton, a notorious trencherman. Mr Dole often jokes that he is "not going to make health an issue in the campaign". Dr Charles Peck of Washington's Walter Reed Army Medical Centre, said Mr Dole was "really in excellent health, with excellent cardiovascular stamina, and his mental capacity is, of course, excellent".

What would happen if Mr Dole's health did fail between now and November is a subject that neither the American media nor any Republican official has publicly discussed, but the party would obviously be thrown into turmoil and the pressure on Colin Powell, the highly popular retired general, to rescue it would be immense.

Mr Dole's age has helped him during the primaries, winning him big majorities



Robert Dole reveals his weariness as he campaigns for the Republican nomination

among older voters, but a Washington Post poll yesterday showed that voters over 60 backed Mr Clinton against Mr Dole by 62 per cent to 34. This is partly because the elderly are aware of the limitations of age, and partly because Mr Clinton has strongly resisted Republican efforts to cut the Medicare health insurance programme for the elderly.

The same poll showed Mr Clinton leading Mr Dole by 56 per cent to 39 among all voters, while another poll, for USA Today, showed the President ahead of the senator by 12 points. After a primary season in which Mr Dole has veered sharply to the political right, the Post poll showed political moderates backing Mr Clinton by nearly two to one. Just a third of respondents were enthusiastic about Mr Dole, compared with 45 per cent

who said they supported Mr Clinton. □ **Vote threat:** Washington, the free world's capital, may be forced to cancel its presidential primaries this spring for lack of funds. Election officials have complained to the near-bankrupt city council that they have insufficient money to conduct May's primaries as well as November's presidential election and various local elections.

## T-shirts herald terror summit at 'Snoopy Club'

FROM CHRISTOPHER WALKER IN SHARM EL SHEIKH

HUNDREDS of scantily-clad tourists wearing "Stop Terrorism" T-shirts mingled with sweating secret servicemen from about 30 nations as world leaders began arriving in this balmy but ill-equipped Red Sea resort for today's four-hour "anti-terrorism" summit — an event dismissed by one French reporter as "Alice in Wonderland at the seaside".

So scarce were hotel rooms for the 1,500 journalists expected at this southernmost tip of the Sinai peninsula that Uri Dromi, chief of Israel's Government Press Office, advised a chartered plane load of reporters from Tel Aviv to take their own sleeping bags.

The T-shirts, one with a large shark depicting the terrorists, sold at a £1 discount to conference delegates. They summed up the media-oriented nature of the event. Three Arab leaders have claimed the credit for suggesting it to President Clinton, whose seafaring villa was patrolled by 11 rubber launches filled with heavily-armed frogmen.

"I seriously wish them well, but how can they think that a few hours and a lunch in the sunshine is going to stop the bombs going off?" asked Tom Gutteridge, a retired sales director from Essex. He was one of thousands of holiday-makers obliged to move rooms or take an all-expenses paid two-day junkie to Luxor to clear space for the delegates.

Mr Gutteridge stared up at one of a stream of private jets carrying leaders including Presidents Yeltsin and Chirac, John Major and King Hassan of Jordan and Hassan of Morocco, to the small desert airport. "Whatever they tell us at the end, we all know this is a

glorified public relations exercise," he added. The Egyptians erected large notices proclaiming the meeting in the converted restaurant of the Swiss-managed Movenpick Beach Hotel as "The Summit of the Peacemakers".

They were anxious after criticism in the Arab world that the hastily-convened summit had been primarily staged for the benefit of Israel after its battering at the hands of Iranian-inspired Islamic suicide bombers.

As hundreds of Egyptian labourers hurried to finish preparations, a number of

### Foreigners write letter of protest

Jerusalem: More than 50 foreigners, including Britons, have written to Shimon Peres, the Israeli Prime Minister, protesting that they cannot leave the Gaza Strip because of the closure of the area after the recent suicide bombings (Ross Dunn writes).

unfortunate mistakes were ironed out, including one misspelling over the conference table not far from where Mr Yeltsin was due to be seated. It described the meeting as "the summit of the peacemakers".

To myself and other correspondents who had earlier driven past the sites of the two recent Jerusalem bus bombings, it was hard to reconcile the reality of the Hamas war against the Jews with the bougainvillea-clad walls of the conference hotel, or the main meeting room with the notice outside advertising "Snoopy Club" games for under-10s.

## Bush opposes easing of sanctions on Iraq

BY MICHAEL BINYON, DIPLOMATIC EDITOR

GEORGE BUSH, the former American President, yesterday urged the world not to ease sanctions against Iraq until Baghdad accounted for more than 600 Kuwaiti prisoners taken to Iraq after the invasion in 1990.

Speaking on the first day of an international conference in London, Mr Bush told veterans of the Gulf War, politicians and human rights campaigners that he had no regrets about not going all the way to Baghdad. He said that

if the allies had occupied it, the war coalition would have fallen apart "and we would have handed Saddam a victory out of the jaws of a humiliating defeat".

Mr Bush replied to critics who noted that President Saddam Hussein was still in office while he and Baroness Thatcher, who will speak at the concluding luncheon today, were not. "Hell no, I'm not glad he's still there. But that was not an objective of the coalition."

## Sliced shot lands a novice golfer with \$3m lawsuit

FROM QUENTIN LETTS IN NEW YORK

A NEW YORK court is to decide if an amateur golfer was negligent when he sliced a shot. The ball went flying in the direction of the clubhouse terrace and knocked unconscious a non-golfer blithely surveying the view.

James Henn, 29, a Wall Street bond trader, fell to the floor when the ball struck him on the bridge of his nose. "The ball hit him right between the eyes and knocks him out," his lawyer, Alan Schnurman, told a preliminary hearing. It was a potentially fatal blow, claimed Mr Schnurman, whose client is seeking \$3 million (£2 million) in compensation.

Mr Henn had been sipping a drink on the veranda of the Rockaway Hunting Club on Long Island, enjoying the warmth of a July day. Twenty yards away, on the edge of the 18th hole, 32-handicap golfer Alan Greco was struggling to find his form at the end of a testing round on which he had repeatedly mistimed his shots. The fateful chip shot went

similarly awry. Justice Beverly Cohen ruled that there may be a case to answer in court because Mr Greco, 33, did not shout "fore!" — the customary air raid warning of golfers — until after he struck the ball. The case is scheduled to start in the Manhattan Supreme Court on Monday.

The plaintiff and defendant are colleagues in the municipal bond department at Lehman Brothers, a prominent Wall Street finance house. The incident occurred on a company golf day, but Mr Henn opted for the role of spectator because he is not keen on golf.

Mr Greco's lawyer, Charles Borsetti, will argue that the sliced shot is an unavoidable, even celebrated, feature of the game. "Errant golf shots are not negligent," he said.

The case is likely to see lawyers wielding three-irons in the courtroom, and there will be reference to the laws and customs of the sport.

It is not known if Justice Cohen is herself a golfer.



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## Cherie's got them on the run

Seventies' feminists used to trot out a scornful chant: a woman's place is in the home. Unfortunately, irony is the bluntest of political tools, and people everywhere are still nodding their heads in agreement with this wise and witty aphorism.

Generally, it is applied in spirit rather than to the letter: but it remains the case that if you want to find a flaw, *cherchez la femme*. And there is some *chercher* going on now. When a journalist from an uncompromising, no-bones-about-it Conservative newspaper takes out an advertisement in a local paper, giving a freephone number for people to ring with information on the erstwhile activities of the wife of the Labour leader, I think it is safe to assume that no one is going into the investigation with an open mind.

And, happily for those who have a vested interest in finding their worst fears realised, Cherie Booth, it turns out, can be shown to be wrong on any number of counts. In the first instance she is a high-profile, high-earning barrister, a QC no less, who freely

The real problem with the Labour leader's wife is that she is successful, intelligent and independent-minded

admits to employing a full-time nanny and a cleaning lady; that makes her a yuppie fiend and stuck up madam with no time for the sort of comradely socialist attitudes someone like her ought to embody.

Cherie once defended an employer against an accusation of racism; well, that's more of the same, only this time she's publicly flouting her conflict with Labour Party principles. She has also defended a lesbian couple in their case against British Rail (they wanted to be given the same consideration and perks as heterosexual couples); this showed Cherie Booth to be dangerously PC; never mind what the Labour Lite (to use Richard Littlejohn's resonant tag) say, this shows what they will really do.

Trying to show that Tony Blair must be accountable for, indeed, culpable of his wife's every action may seem the most

famous of exercises. There's an easy riposte, though: what about that other famous feminist dictum — the personal is political?

The point is, she can't win, because really the Tories fear it is *they* who can't win. The campaign can, of course, backfire. It's all very well unearthing a picture of Cherie Booth addressing the Thanet Socialist (oh, that such a thing existed) in 1983 which showed that Tony Benn was on the same platform. After all, we may not be sure what Cherie Booth thought in 1983 but we have a pretty good idea of what Tony Benn thought. But since it turns out that the former's opinions coincided little with the latter's, there is limited political mileage to be made.

Worse, it transpires that Tony



Nigella Lawson

Blair had refused to have Benn on his platform when he had been elected two years earlier. So not only do we not have a pair of dangerous radicals, what we do have is a couple whose differences of political opinion, such as we may deduce, are easily and equably borne by each of them. Whatever the facts of the case,

the imperative of the campaign has been, and remains, to identify Cherie as our own, home-grown Hillary Clinton.

What must be established is that whatever Tony Blair's views or ambitions, the views and ambitions of his wife are what really matter: you may think you want to elect him, but (he warned) it is she who will get into power. I don't want to bring in sexual politics here too much (although there is every justification for doing so), simply because this affair is really just an exercise in party politics.

Nevertheless, it is significant that the real rub seems to be the existence of an intelligent, successful, independent-minded woman as anything other than a threat. Rebecca West once remarked that she found she was called a feminist when she said anything that distinguished her from a doormat. Well, I don't think there is anything to be ashamed of in being called a feminist, any more (Messrs Blair and Mandelson, please take note) than there is in being called a socialist — but the fact remains (really, how can it remain so now?) that if you're not a nice,

quiet unobtrusive wife, you must be Lady Macbeth.

It is tempting to assume that it is misogynistic to believe that a woman cannot have a mind of her own without at the same time insisting on taking over her husband's. And in essence, of course, it is. But it strikes me how much the derision and the contempt is actually aimed at men. The driving force may be a fear of women, but it expresses itself in a profound and uneasy sense that men who have strong women as wives have in some way compromised their own masculinity.

The sort of people who make much of the browbeating they think Tony will be in for once he gets his feet under the table at No 10 are clearly of the view that, for all his apparent tenacity or strength of purpose, he can be unmaimed in an instant by a powerful, high-earning wife.

The anxiety is that not only has he been emasculated, he has colluded in the emasculation. In this, there seems to be as much, if not more, fear of men's weakness than of women's strength. And don't think women don't fear this, too.

These are very basic fears, primitive anxieties you could say, and it is a crassly cynical exercise to try to play on them for political gain. What's more, I'm not convinced it will work. After all, whatever they said about Hillary, Bill did win.

## No parental blackmail day

I'M NOT sure that I like the tone of the propaganda sheet issued for today's No Smoking Day. Entitled *How to help your parents give up smoking* and distributed courtesy of the NHS, it aims to bring children round to the view that they should get their parents to stop smoking even if it takes emotional blackmail and other menacing tactics.

Children have been using emotional blackmail and other manipulative techniques on their parents for years without outside encouragement and so I don't think we should fear that they are being corrupted by Government forces. Still, there is something spooky about this kind of state interference. I am not a smoker, and when I was 1 wasn't committed. And I have that irritating habit of being shocked every time I see someone smoke over a newborn baby. Even so, I don't think there's any call for state-subsidised leaflets listing ways children could profitably harass their parents.

Quite apart from the unpalatability of the exercise, there is something exploitative about working on children's anxieties for their parents' welfare. To make children feel — which is more or less what this does — that they have the power to stop their parents dying of all sorts of diseases is horrible. I can see the point of those films we were all shown at school about the dangers of fireworks: at least they aimed to make children behave more sensibly. But this intrusive and officious exercise is crucially different.

One knows that Maoist China had the wheeze of pitting child against parent, but somehow I never thought it would catch on in Major's Britain.

## Why Kingsley would have said go ahead

It is a fair bet that Kingsley Amis would not have relished the public row which has broken out between his son, Martin, and his biographer, Eric Jacobs, over the editing of his letters. He was gentler and more sensitive to those he loved than his intimidating narapace suggested. But the grand old devil of the English novel frequently transformed distressing episodes in his life, such as the collapse of his marriage to Elizabeth Jane Howard, into fiction: he might have done the same with this.

As it is, we are left with the raw reality of an undignified scrap. When Kingsley died last October, he bequeathed an archive of about a thousand more or less publishable letters. Eric Jacobs had been allowed to photocopy the Amis correspondence on the understanding that he would be allowed to edit them for posthumous publication. But Martin, who had discussed publication of the letters with Kingsley "before my father even met Eric", was never keen on the idea of entrusting a job requiring so much tact to a Garrick Club crony, whose biography had merely reinforced the received wisdom about his father.

What Martin did not know was that Jacobs had also kept a diary of Kingsley's last weeks. In the immediate aftermath of Kingsley's death, it emerged that Jacobs had offered what he somewhat disingenuously described as these "jottings" to various newspapers. Extracts were about to appear in *The Sunday Times* when Martin — the paper's chief book reviewer — strongly objected. Jacobs had the piece pulled, but Martin still felt betrayed. As his father's literary executor, he was entitled to decide who would edit the letters; and Jacobs had ruled himself out by his "dishonourable" con-

Sir Kingsley Amis may well have said, 'publish, you're damned anyhow' in the dispute over his letters, says Daniel Johnson

duct. Instead, Martin chose an American academic, Professor Zachary Leader, who happened also to be his tennis partner. Martin insists that he informed Jacobs of his decision months ago, but Jacobs claims that the first he heard of it was in Martin's *Times* interview with Valerie Grove last week.

It is easy to see why Martin feels so bitter. Those of us who saw Martin in the weeks of his father's final illness remember vividly how anxious and preoccupied he was: their father-son relationship was unique in English literature. In the week after Kingsley's death he was in shock, mourning the loss of his chief literary mentor and critic, as well as his father. Yet he found himself obliged to deal with the Jacobs diary instead of his own grief. Now Jacobs is again threatening to publish his diary "one day", while Martin is planning an autobiography.

As for Kingsley's letters: they promise to be the most controversial collection since his friend the late Philip Larkin's correspondence appeared four years ago. Larkin's letters — which revealed the poet's taste for pornography, his racist jokes and sardonic contempt for his literary contemporaries — were felt (especially by his victims) to have damaged his reputation. Larkin's editor, Anthony Thwaite, came in for stinging criticism, both for revealing too much of the seamier side of the poet's inner life and for suppressing some

passages. Wiser readers sat back and enjoyed this feast of political incorrectness.

The posthumous survival or destruction of letters exercises vast influence on literary reputations. Executors and surviving relatives often use this fact to justify offences of private papers, but they are as bad as anyone else at predicting the effects of publication on an author's standing.

Many of Rudyard Kipling's letters, for example, were burnt on the instructions of his daughter, despite the objections of scholars. She wanted to preserve his reputation from any hint of scandal. She failed: his work was eclipsed for a generation even so. After his madness and death, the philosopher Friedrich Nietzsche's letters were edited by his sister in such a way as to transform him into a proto-Nazi ideologue like herself: she did not hesitate to forge documents and succeeded in harnessing Nietzsche to Hitler's cause, but did her brother untold harm.

Still, the effects of forging letters are temporary, as they are sooner or later discovered. Burning them does permanent damage. Thomas Hardy's bonfires of his letters, and even more the unauthorised posthumous conflagrations of his second wife Florence, may have thwarted biographers, but did him no good. Hardy is still saddled with the reputation of a mean, snobbish, misogynistic fool. Only recently has he been rehabilitated. Nowadays, such extreme measures are rare; fearing



Sir Kingsley and Martin Amis: it was a unique partnership, but now Martin has been left with a bitter inheritance in a dispute over his father's letters

public odium, executors and authors prefer to delay publication rather than destroy. Franz Kafka's executor Max Brod disobeyed his friend's order to destroy his letters along with other works, but delayed publishing the extraordinary letters to his two girlfriends Felice and Milena for many decades. These volumes have deservedly become classics.

The publication of T.S. Eliot's letters by his widow and executor, Valerie, has been notoriously slow: more than 30 years after his death, one volume, covering his earliest years, has appeared so far. In the meantime, biographers such as Peter Ackroyd have been denied access to the unpublished correspondence, and there is widespread suspicion that the executor is in no hurry to let scholars pore over potentially damaging passages that cast light on Eliot's anti-Semitism or his treatment of his first wife. Such accusations infuriate the formidable Mrs Eliot, but only publication will lay them to rest.

Letters have been a literary form at least since Cicero and St Paul, and those of writers are nearly always written with one eye to publication. We should raise a glass of strong liquor to the epistolary apotheosis of Kingsley Amis, whose motto might have been: publish — you're damned anyhow!

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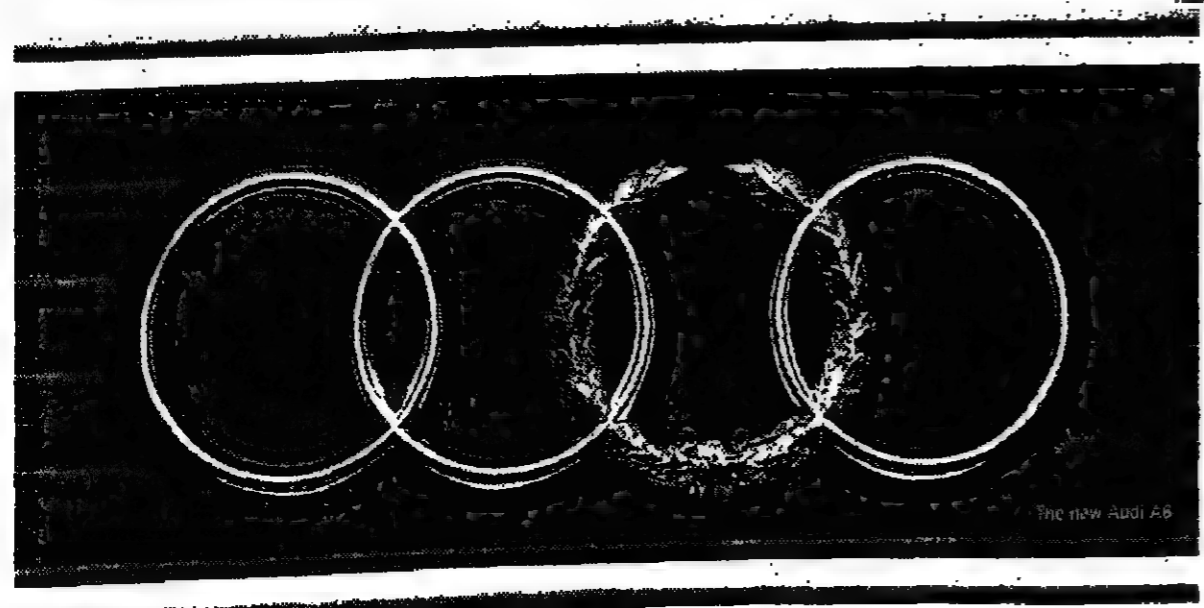
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## Alan Coren



**I trust my heirs will be careful with my life and letters**

Just to the left of where I sit tapping this out, there is a sturdy shelf with my life on it. It has to be sturdy, because my life is contained in ten big box files each containing, give or take, a thousand pages. These are my letters; and what, of course, concerns me today is the kind of man my son might be playing tennis with after I am dead.

It concerns me because Martin Amis plays tennis with Zachary Leader, a Roehampton academic, and it is to Mr Leader that Martin has entrusted the editorship of his father Kingsley's letters, thereby upsetting Eric Jacobs, Kingsley's drinking companion, who had been led to believe that he was going to be doing the editing. The snag is that he had been led to believe this by Kingsley, who, not being an executor of his estate, was in no position to lead anyone to believe anything, a situation enabling Martin, who is an executor, to prefer his chum to his father's.

Now, it is clearly important who edits post-humous letters, since the selection will determine our perception of the man who wrote them; and, dipping into the big box files, I see that this is far more clearly important in my case than in Kingsley's. For while his letters were sent to top literary bananas like Anthony Powell and Philip Larkin and Evelyn Waugh and — packed with the sort of stuff one expects when like speaks to like and known speaks to known — will doubtless present a consistency of style, attitude, taste, and above all personality, mine do not present anything of the kind. That is because mine were not written to anybody I know. I never write personal letters. When something personal is called for, I call for it: I pick up a phone. What the big box files contain, therefore, is impersonal stuff that could be expressed only in writing. It is exclusively commercial. That is why I kept copies.

It is also why its editing is so terribly important. Because, on dipping into it, I find that I consist of unpeeled different people. Take the long and riveting 1973 correspondence with Granada TV Rental about their inability to sort out a screen inhabited solely by blue flat-headed midgets: this fine epistolary sequence begins in ironic bewilderment, moves on to anger, becomes incensed, then grows chilling with threat, the work of an influential and well-connected bastard whose editors beg for consumer scams, whose lawyers yearn for easy briefs, whose close friends on the Granada Board are coming to dinner that very night.

Now set this against the famous 1977 exchange with Lex Volvo over the fact that, despite six visits to their body shop, the tailgate of my estate still flies open on a whim: this shows a very different man, more hurt than angry, caring, distraught, fearful that, at sudden braking, his children will end up whirling in the welkin above the M1 like Tiepolo cherubs, a decent, gentle man unable to believe that his love of Sweden and his deep admiration, as a lifelong socialist, of its reputation for humanitarian concern could so unthinkingly be put at irreparable risk.

Yet how different both these writers seem to be from the wheedling supplicant of the brilliantly inventive Overdraft Letters (1968-85, *passim*), in which a figure emerges of not only great humility but also extraordinary financial probity and wisdom — one who would, I fear, be unrecognisable to the same period's inland Revenue recipients, confronted by a fiscally incompetent bohemian unable to understand the first thing about where money comes from or where it goes, and is thus constitutionally unable to keep accurate records, whatever those are.

And can either of these be the man whose passionate correspondence with Barnett Council down the long arches of the years addresses everything from wonky pavements and duff binnies to underfunded libraries and sandpit dogs? True, that man is also variously angry, caring, threatening, humble, wise, influential, and the rest, but above all he is — it shines through every sentence — a political idealist pledged to that right to vote which put Barnett Council where it is today. The problem for those reading his letters is how to reconcile the lifelong Conservative this makes him with the lifelong socialist who finally persuaded Volvo to fit a new tailgate. Which is why, when I am mortally uncoiled, I need a smart editor. Not just anyone for tennis.

## Mainland targets island nation in manoeuvres



## All bad Europeans now

The White Paper shows that with Brussels in full retreat, scepticism is now ascendant

Next year the Brussels Commission should raise a trembling glass on the 900th anniversary of the rise to power of Pope Innocent III. Scourge of the Cathars, patron of the Inquisition, instigator of the Fourth Crusade and bully of the German princelings, Innocent was the first true Eurocrat. He claimed the right to approve local monarchs. He levied Euro-taxes, and banned trial by ordeal in favour of high-tech torture. His writ ran to every parish in Christendom. Such was his secular authority that King John appealed to him to annul the Magna Carta.

Innocent III would regard Jacques Santer, the European Commission President, as a wimp. Where are Santer's pennants on the turrets of Sarajevo? Where is his veto on the Queen's civil list? Who needs a Euro-currency, when all would welcome a papal ducat? Didn't the Fourth Lateran declare subsidiarity a heresy? This Luxembourg mouse should burn the sceptics at the stake.

Euro-machismo is now in full retreat. Ten years ago no diplomat would have dared to write yesterday's White Paper. Whole passages seem to have been lifted from Lady Thatcher's Bruges speech. A British Europe, says the new Toryism, is "a union of nations co-operating freely under treaties freely entered into". It "respects cultural and political diversity... concentrates single-mindedly only on what needs to be done at a European level... does not interfere where it is not needed and is outward-looking, free-trading, democratic and flexible".

The White Paper is a paragon of self-interest. It insists that common decision-making "can only be justified where it brings benefits to British security, prosperity and quality of life which are so significant that they justify some loss of unfettered national control in the area concerned". Supranational action is valid only where action in defence of trade is not open to states individually. This might be the language of the Single European Act; it is not the spirit of Maastricht.

Time was when such thoughts were heretical. Governments might come and go, but union through federation was the one true faith. Opposition from Lady Thatcher, Danish sceptics or French chauvinists was mere diversion. A united states of Europe was the natural extension of a free-trade area, then of economic union, then of political union, then of history itself. After centuries of

turmoil, Europe's postwar patriarchs had found the philosopher's stone.

I imagine there are still people who believe this, though most of them are paid to do so. On Monday Mr Santer tried gamely to win for his Commissioners the power to subsidise anything they liked under the guise of "alleviating unemployment". A robust Council of Ministers said no. Mr Santer reportedly went off in a huff. Maastricht sceptics used to shelter behind Mr Major's skirts at ministerial meetings, hoping Britain would always take the blame for stopping the wilder Eurocratic lunacies. With the impending collapse of monetary union, sceptics across the Continent are coming into the open. Anti-Europeanism featured in recent German, French and Spanish elections.

The British electorate used to greet any emanations from Brussels or the Council of Ministers as a necessary evil. Polls showed a public accepting European free trade and its political disciplines as sound and progressive. The British would not withdraw from European institutions or renounce the treaties. On the other hand, they appeared to reject what is termed the Maastricht process, of wider powers for Brussels and its puppet European Parliament and of extended majority voting by the Council of Ministers.

The British, in other words, did not want to be thought bad sports. They disliked the hijacking of the liberal ideals of the old Common Market by Franco-German corporatism. They detested the morass of subsidy, corruption and intervention, not least when other states were less fastidious about the rule of administrative law. Nothing has done the European cause more damage than Brussels' double standard towards Britain in the enforcement of regulations — unless it is yesterday's cynical court ruling on the "health and safety" edict on working hours.

British governments must thus sustain a delicate equilibrium. They must be recalcitrant and bloody-minded. They must block and protest and howl with pain, especially over anything to do with fish. They may demand police action to get British lamb to French markets, but they must pass protectionist laws such as the 1988 Merchant Shipping Act aimed at excluding Spanish trawlers (which the European Court of Justice was surely right to outlaw). But eventually they must sign. Wilson signed. Thatcher signed. Major signed. In opposition, these leaders were all sceptics, but in power they signed. They saw that whatever took place in the theatre of European politics was part of a worthwhile endeavour, re-fashioning the security of post-war Europe. This endeavour is not yet complete. However much Britain's leaders might believe that "outside Europe" Britain could not only survive but prosper, withdrawal was a gamble neither they nor the electorate were ready to take. The offshore island gibe hurt. If the British withdrew and, for whatever reason, Europe fell once more to fracture, Britain could never look history in the face.

The institutions of the old Common Market — like an ailing magazine, constantly renamed and relaunched — have arrived at a familiar turning-point in the evolution of empires. They must either move on to autocracy and eventual collapse, or they must swiftly dismantle their subsidiary components. Witness to the former are the Austro-Hungarian, Ottoman and Soviet empires. In each case the prime motive of autocracy was bureaucratic rather than imperial. Witness to the latter is the British Empire. Its supranationalism is now represented by no more than the Queen as head of the Commonwealth.

The European movement in the 1980s toyed with going down the Austro-Hungarian path. Under the spiritual leadership of Jacques Delors it reckless-

ly cavorted with federal imperialism. The moment has passed. A legacy of the Allied victory in 1945 was the democratic vigour of Europe's nation-states, a vigour reinforced by the fall of the Soviet Union. M Delors failed to crush the identity of member states. Under his influence, to adapt Gibbon, the European Commission passed from expansionism to decay without even the briefest moment of sovereign exhilaration.

It now seems incredible that democratic freedoms won against Hitler and the Soviet Union would ever be sacrificed to the grim commissioners of Brussels. The Council of Ministers, not the Commission, was bound sooner or later to become the focus of Europe's power-brokers. Yet such distrust has developed towards even the Council that each country has insisted on that vote of no confidence in representational democracy, a "referendum on Europe". Britain is one of the last to do so. There are sound arguments against plebiscitary government. There are few against consultative referendums. How a manifestly sceptical Tory party has allowed itself to be outflanked on this by Sir James Goldsmith is a mystery — a mystery wrapped in the enigma of the Chancellor of the Exchequer.

No subject in modern times has caused British governments more tribulation than Europe. The reason is the distorting polarisation of British politics. This has decreed that there must be a row. Europe must be said to "hear the country apart" or "split the Tory party". There must be screaming and name-calling, "bastards" and "men in white coats". There must be Little Englanders and Sellers of Sovereignty Down the River. Europe devastated the last years of the Thatcher administration, for reasons now hard to recall. It has done the same for Mr Major.

The essence of the row remains elusive. Few politicians want to leave the European Union, just as few want to cede more power to Brussels or the Council of Ministers. The number of paid-up Euro-fanatics and Euro-withdrawers on both back benches can be numbered on two hands. Nothing here really divides Mr Major and Tony Blair. As for the electorate, it places Europe far down the list of crucial issues. It is bored by Europe. Like the Government in this White Paper, the British public is emotionally and politically sceptical, but not very. All Mr Major need do is behave like a bad European, but do it well.

## Divorced from his own party

Ralph Harris on how Lord Mackay fell among activists

Why has Lord Mackay of Clashfern allowed his name to be so uniquely linked with the Family Law Bill, which many loyal Tory supporters see as further weakening the defences against the rising tide of divorce? The Bill, which passed the Lords on Monday against the votes of some 60 Conservative peers, goes to the Commons next month mutilated by a Lords amendment on pension-splitting, and with Tory backbenchers threatening to join the rebels in the Lords.

Even such a non-political Lord Chancellor must feel a twinge of regret that he had to rely on Labour and Liberal Democrat votes to fight off Lady Young's amendment to extend the cooling-off period from 12 to 18 months. She is supported by such heavyweights as Lord Simon of Glaisdale (a former President of the Divorce Division of the High Court), the Anglican Archbishop of York and the Roman Catholic Archbishop of Westminster. No one questions his probity. But does he have no doubts behind that dour mask of inflexibility?

After much pondering, I have decided Lord Mackay is a good, if stubborn man, fallen among legal activists. Why have we got this Bill now? There was little public demand for it. There was certainly no political case for courting fresh Tory divisions with a Bill that can be fairly summarised as "divorce on demand after a year". No, its inspiration came from the mysterious processes of a little-known body: the Law Commission.

Its main author appears to have been commissioner Brenda Hoggart, famous for saying, in 1980: "We have already reached a point at which we should be considering whether the legal institution of marriage continues to serve any useful purpose." A dozen years later, she bore witness to her intellectual confusion by first terminating a 24-year marriage and then solemnly contracting another before becoming a High Court Judge — under her maiden name as the Hon Mrs Justice Hale — in the family law division.

No one doubts that Lord Mackay's protestations of personal belief in marriage come from the heart. It is not his heart that critics doubt, any more than his ready grasp of legal technicalities. What is in question is the reasoning he shares with many bishops and other elevated personages concerning common sense and psychology, which will judge this Bill soft on those we must no longer call the "guilty" party. Of course, divorce may still be painful. But extensive research confirms that it is the offspring of broken marriages who stand to suffer most — in above average ill-health, retarded education, unemployment, delinquency and homelessness.

As the Lord Chancellor repeatedly intones, legislation cannot make couples stay together. But a key role of public law is surely to proclaim acceptable standards of conduct, whether in honesty, fair dealing, tolerance or — dare I say? — fidelity. If the law is to punish wrongdoing, does it not have to specify, or at least imply, what is regarded as right conduct?

Yet by extinguishing all reference to matrimonial "fault", does not the trumpet give forth an uncertain sound? Once this Bill is law, adultery or desertion will no longer be grounds for a divorce petition. Instead, the sole justification for abandoning the most solemn of all vows is a statement that the marriage has "irretrievably" broken down. Upon such a subjective view by one party, unsupported by solid reason or evidence, the wedding contract can be torn up, and a year later the wife or husband put away.

The only gleam of hope among the dismal statistics of soaring divorce rates is the evidence that both here and in America around 50 per cent of ex-husbands and 25 per cent of ex-wives later regret their divorces. This suggests that "irretrievable breakdown" may often prove to have been no more than the question-begging parrot-cry of temporarily disaffected spouses. What does the general public think about divorce on demand by one party without the need to give a reason? When the poll commissioned by the Lord Chancellor put that precise question, 60 per cent of the public singled it out as the least acceptable of nine possible options. Presented with the same list and asked which options were most acceptable as grounds for divorce, 59 per cent chose adultery, intolerable behaviour or two years' separation — the very three "grounds" in the present law which are to be wiped from the statute book.

If only the Lord Chancellor had heeded the disenchantment of Ruth Deech (now Principal of St Anne's College, Oxford) who was at the Law Commission when the Divorce Act of 1969 was being dreamt up. Almost 30 years later, she wrote: "It is now clear that the work of the reformers in the 1960s was flawed. Their reliance on selected statistics and the works of social science led to wholly inaccurate predictions about the effects of the Divorce Reform Act 1969." The truth is that since the legal activists voiced their subversive doubts about the "legal institution of marriage", the many chickens of their earlier handiwork have come home to roost. In the Lords' debates, leaving aside what I might call the gay divorces' lobby, defenders of Lord Mackay's Bill join in regretting family break-up and go on to say, like the former Archbishop of York, Lord Habgood, that divorce is caused by economic, social and cultural pressures. But so is much of the youth crime that haunts us. Is it not defeatist, above all for a Lord Chancellor, to conclude that law is powerless to do much about it?

## Drink up

THE DRINK has caught up with Melvyn Bragg. I spotted him toting the other day in a West End restaurant despite a solemn pledge not to touch a drop for the first three months of the year. He blames Albert Finney.

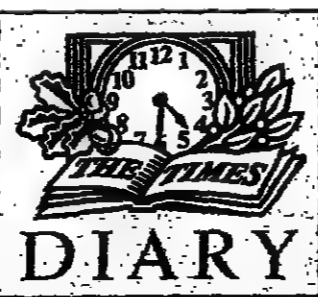
After a seriously liquid lunch before Christmas, Bragg and his lunching chum Matthew Evans, the chairman of Faber, agreed that they should forgo alcohol for the whole of January, February and March. Everything went swim-

mingly at first, with both Bragg and Evans wearing the impossibly sanctimonious air of teetotallers. Then, says Bragg, he started making a South Bank Show about Albert Finney.

"As part of the programme, we wanted to film Finney having lunch," says Bragg, "but he said there wasn't any point unless I partook of a few glasses of wine. So reluctantly I agreed to start drinking again for the sake of work. I fell at the Finney Fence."



Bragg and Finney: lunch needs lubricating



Despite his sobriety, Bragg is indulging in a sort of victory dance, and piously plans to stay the course until April 4. "By then I shall be ready to make up for lost time," he gasps.

Government legislation on the management of deer in the Highlands has upset some of the Lords. One peer asked to speak on the Deer Bill refused, stating that he did not deem Sir Denis Thatcher's personal correspondence a matter for public discussion.

### For courses

YOU'D IMAGINE he would have outgrown food-fights, but Sir Andrew Lloyd Webber had been lobbying custard pies in the run-up to Cheltenham, the National Hunt Festival which came under starters orders yesterday.

His target was the racecourse caterer, Letheby & Christopher, an outfit which recently produced a lunch that he described in a newspaper as a "horror", with roast potatoes that were the nastiest thing he remembers eating.

Letheby's chief executive Tony Roestenburg is "saddened" by the continuing criticism, and has invited the composer to join him at Ascot where he provides the same potatoes. "On your life, replied Lloyd Webber. "If I asked every critic who'd written a bad review of one of my shows to meet me, I'd never have the time to go racing."

### College spats

WITH ALL the fracas at Balliol College, Oxford, over a university chair funded by Gerr-Rudolph Flick, the grandson of a convicted Nazi war criminal, the authorities have been quick to crack down over another unseemly incident involving the college.

It has banned the Annandale Society, an all-male Balliol drinking club, from convening after its members emptied the contents of a skip into the gardens of Trinity, the neighbouring college.

The lead between the two colleges goes back a long way. Trinity once released a pig into Balliol hall; Balliol, in return, projected the words "Bloody Trinity" on to the college tower. But I understand that the Dean of Balliol found the skip a step too far, although a Balliol girl I spoke to was full of fight: "It's still war," she muttered darkly.

### Impish

JARVIS COCKER, the androgynous crooner who popped up uninvited on stage with Michael Jackson, has been up to further wheezes. The talk of his circle yesterday was that the amusing lead singer of Pulp, proud owner of a Hillman Imp, entered "telesales"



"Look, dear, another Jackson Pollock"

as his occupation on his car insurance form. As luck would have it, an insurance rep had seen him singing on television the night before — and changed it to pop star.

Yesterday a spokesman for Cocker said that the singer was unavailable, so she could not vouch for the tale's veracity. "But it is the sort of thing he would do."

### Courting

THE RUSSIANS are turning to real tennis, the sport favoured by Prince Edward and his girlfriend Sophie Rhys-Jones. With the help of Russian diplomats, academics and a Russian prince or two, there are plans to restore the real tennis court built by Catherine the Great in St Petersburg.

Professor Borilkevich, the strapping head of physical education and sport at the University of St Petersburg, is the driving force behind the restoration of the court, built in the 1790s and now being used as a gymnasium. Along with Andrew Page, a keen real tennis player and one of our chaps in Kiev, he is drumming up support.

The Russian aristocrat Prince Nicholas Galitzine is delighted. "I would like to play the inaugural match on it with Prince Edward," he says.

P.H.S







# Widow unprotected against bank Appeal sentencing powers limited

**Lloyds Bank plc v Carrick and Another**  
Before Lord Justice Beldam, Lord Justice Morritt and Sir Ralph Gibson

[Judgment February 28]

A widow who sold her house and gave the proceeds of £19,000 to her brother-in-law on an oral agreement that that would be payment for a maisonette, the lease of which was owned by him, had no interest valid against a bank sufficient to constitute a defence against a claim for possession in respect of a legal charge subsequently made by the bank against the house and the bank, charging the lease as security for a loan.

The result would have been different if the title to the maisonette had been registered. Then the interest of the widow, who had been in possession since November 1982 and of whom no inquiry had been made, would have been an overriding interest under section 70(1)(g) of the Land Registration Act 1925 and would have been binding on the bank.

The Court of Appeal so held in a reserved judgment allowing an appeal by the plaintiffs, Lloyds Bank plc, against the order of Mr Recorder Holmes, in Cambridge County Court on July 5, 1994, whereby he (i) dismissed the plaintiffs' claim for possession of leasehold property at 7 Derby Way, Newmarket, and (ii) made a declaration that the first defendant, Mr Michael Robert Carrick, held the lease of that property in trust for the second defendant, Mrs Margaret Carrick, so that her interests and rights over that property were not subject to the bank's charge dated November 25, 1988.

Section 14 of the Law of Property Act 1925 provides: "This part of this Act shall not prejudicially affect the interest of any person in possession or in actual occupation of land to which he may be entitled in right of such possession or occupation."

Section 70 of the Land Registration Act 1925 provides: "(1) All registered land shall... be deemed to be subject to such of the following overriding interests... and such interests shall not be

treated to be incommensurate with the meaning of this Act... (g) The rights of every person in actual occupation of the land... save where inquiry is made of such person and the rights are not disclosed."

Miss Josephine Hayes for the plaintiffs, Mr Neil Vickery for the defendants.

LORD JUSTICE MORRITT said that the bank issued a summons against Mr Carrick seeking judgment for £99,010.95 and an order for possession of the maisonette.

He admitted the money claim but said that he was a bare trustee of the property for his sister-in-law. Accordingly, Mrs Carrick was joined as a defendant.

In her defence it was said that no contract of sale was concluded between the defendants and that the first defendant held his interest in the property upon a bare trust for her.

The bank contended that the recorder should have found that the only interest of Mrs Carrick in the maisonette was an estate contract within the Land Charges Act 1972 which was void for want of registration against the bank as a purchaser for valuable consideration.

For Mrs Carrick it was submitted that she had an interest separate and distinct from that which arose under the registered estate contract. It was contended that she had such an interest under a bare trust, a constructive trust and by proprietary estoppel.

His Lordship said that at the time it was made the contract was valid but, as provided by section 40 of the Law of Property Act 1925, unenforceable for want of a memorandum in writing or part performance.

It became enforceable when in or about November 1982 Mrs Carrick paid the purchase price and went into possession. As Mrs Carrick had paid the whole of the purchase price at the time the contract became enforceable, Mr Carrick, as the vendor, had no beneficial interest and could properly be described as a bare trustee.

The source and origin of the trust was the contract payment

of the price by Mrs Carrick only served to make it a bare trust by removing any beneficial interest of Mr Carrick. Section 4(6) of the Land Charges Act 1972 avoided that contract as against the bank.

The result must be that Mrs Carrick was unable to establish the bare trust as against the bank for it had no existence except as the equitable consequence of the contract. Accordingly the contention based on the bare trust had to be rejected.

The contention based on the constructive trust was that Mrs Carrick was entitled to the whole beneficial interest in the property and that that interest was not registrable so that the bank, having had constructive notice of it, took subject to it. Reliance was placed on the speech of Lord Bridge of Harwich in *Lloyds Bank plc v Rosset* [1991] AC 107, 132.

Here there was a trust of the maisonette for the benefit of Mrs Carrick because there had been an agreement between her and Mr Carrick which, for her part, she had substantially if not wholly performed. As between her and Mr Carrick such trust subsisted at all times after November 1982.

His Lordship agreed with counsel for the bank that there was no room in those circumstances for the implication or imposition of any further trust for the benefit of Mrs Carrick.

The speech of Lord Bridge in *Lloyds Bank v Rosset* had to be read by reference to the facts of that case. So read there was nothing in it to suggest that where there was a specifically enforceable contract, the court was entitled to superimpose a further constructive trust on the vendor in favour of the purchaser over that which already existed in consequence of the contractual relationship.

The third contention was that Mrs Carrick was entitled to the benefit of proprietary estoppel. It was submitted that, by reference to the principles set out in *Snell's Equity* (29th edition [1995]) pp574-576, such an estoppel arose in her favour because she had paid the purchase price and carried out improvements in the belief common to both her and Mr Carrick and to that extent encouraged by

him that she either did own it or would own it.

His Lordship observed that it was a matter of some doubt whether the principles of proprietary estoppel differed from those of that species of constructive trust referred to by Lord Bridge in *Lloyds Bank v Rosset*. In the passage from his speech already mentioned, he had treated the two labels as interchangeable.

As in the case of the constructive trust, his Lordship could not see how there was any room for the application of the principles of proprietary estoppel when at the time of the relevant expenditure there was already a trust arising in consequence of an enforceable contract to the same effect as the interest sought pursuant to the proprietary estoppel. He would allow the appeal.

That result seemed to be inevitable in the light of the provisions of the Land Charges Act 1972 and of the Law of Property Act 1925. However, it should be noted that the result would have been different if the title to the maisonette had been registered.

In such a case the interest of Mrs Carrick, who was in possession and of whom no inquiry had been made, would have been an overriding interest under section 70(1)(g) of the Land Registration Act 1925. As such it would have been binding on the bank.

As the authors of *Megarry & Waite on The Law of Real Property* (1989) pp165-167 pointed out, the same position would have been achieved under the Law of Property Act 1922 for what was now section 14 of the Law of Property Act 1925 was then in a part which also contained the legislation which subsequently became the Land Charges Act 1925.

In his Lordship's view it was beyond doubt that section 14 of the Law of Property Act 1925 did not achieve for unregistered land that which section 70(1)(g) achieved for registered land but whether that was originally intended or was a quirk of the process of breaking up the Law of Property Act 1922 into, among others, the Law of Property Act 1925 and the Land Charges Act 1925 was unclear.

What was certain was that it must be for others to consider and for Parliament to decide whether that distinction between registered and unregistered land should continue, particularly as the system for the registration of incumbrances in the case of unregistered land was by no means complete, as was shown by *Inwards v Baker* ([1965] 2 QB 29; *Ives v High* [1967] 2 QB 379; and *Shiloh Spunners v Harding* [1973] AC 691).

Sir Ralph Gibson and Lord Justice Beldam agreed.

Solicitors: Taylor Vimmers, Cambridge; Quirke & Co, Croydon.

**Regina v Ogden**

Before Lord Taylor of Gorton, Lord Chief Justice, Mr Justice Cusack and Mr Justice Gage

[Judgment March 5]

Where a crown court revokes a community service order imposed by justices substituted detention in a young offender institution, the sentencing powers of the crown court were limited to the justices' sentencing powers.

The Court of Appeal so held when allowing in part an appeal against sentence passed on Dylan Lee Ogden, aged 20, on plea of guilty at Kingston upon Hull Crown Court where he had been sentenced by Mr Assistant Recorder C. W. Ekins concurrently to three years detention in a young offender institution for attempted robbery and two years for having an offensive weapon.

He had admitted being in breach of a community service order of 60 hours imposed by Southborough Justices for two burglaries of non-domestic premises

and possessing a class B drug. The crown court revoked the order and substituted concurrent periods of detention of nine months for each of the burglaries, concurrent with one month for possession of the drug, so that the total sentence was three years and nine months.

On appeal the detention for the burglaries was reduced to three months each concurrent, so that the total sentence became three years and three months.

The decision resolved conflict between earlier authorities concerning the meaning of the phrase "the court" in the last line of paragraph 82(b) in Schedule 2 to the Criminal Justice Act 1991, concerning a relevant order in lieu of bail, a community service order.

Magistrates' courts' sentencing powers were limited by section 133(1) of the Magistrates' Courts Act 1980 to a six month aggregate, subject to certain exceptions.

Paragraph 8 in Schedule 2 to the 1991 Act provides: "(2) If it appears to the crown court to be in the interests of justice to do so, having

regard to circumstances which have arisen since the order was made, the crown court may... (b) revoke the order and deal with the offender, for the offence in respect of which the order was made, in any manner in which it could deal with him if he had just been convicted by or before the court of the offence."

Mr Simon R. G. Hickey, assigned by the Registrar of Criminal Appeals, for the appellant.

THE LORD CHIEF JUSTICE, delivering the judgment of the court, referred to conflicting authorities and said that in *R v Koser* (1995) Crim LR 342 the transcript of the judgment, delivered by Mr Justice Jowitt, read: "On one reading it might appear that the reference to 'the court' in (b) is to the crown court."

"In our judgment that cannot be so since this would give to the crown court a power to impose sentences in excess of those which the justices could have imposed, notwithstanding that the crown

court may be re-sentencing in the case of an order made in the magistrates' court. In our judgment, the reference to 'the court' in paragraph 82(b) must be to the court which made the order."

Their Lordships would also point out that although the words "crown court" appeared in the first line, it had been thought necessary to repeat the full phrase before embarking on sub-paragraphs (a) and (b).

If the proper construction of "court" in the final line was "crown court," one wondered why it had been necessary to repeat the whole phrase in the preamble.

By the same token, it would have been possible for Parliament, had it wished to make clear that crown court was referred to at the end of the sub-paragraph, to say so for the third time.

Suffice it to say that, while their Lordships accepted that the wording of the sub-paragraph was not felicitous, they considered that henceforth the view taken in *Koser* was to be followed.

## Objective test for vendor's lien over land

**Barclays Bank plc v Eustance and Commercial Ltd (in liquidation) and Another**

Before Lord Justice Waite, Lord Justice Millett and Lord Justice Thorpe

[Judgment February 20]

Where a vendor retained a lien over his land for the unpaid purchase money was not a question of the subjective intention of parties to the sale but was to be objectively ascertained from the transaction.

The Court of Appeal so held, allowing an appeal by the second defendant, Arthur Eustance, from an order of Judge Victor Hall, at Peterborough County Council, for recovery by the plaintiffs, Barclays Bank plc, of possession of 18A Silver Lane, Needingworth, Cambridgeshire.

Mr Michael Yegorov for Mr Eustance; Mr Gregory Mitchell for the bank; Estates and Commercial Ltd took no part in the proceedings.

LORD JUSTICE MILLETT said that on December 17, 1985 Mr Arthur Eustance conveyed the property to his son, Noel Eustance, for £70,000. Only £19,000 of that amount was paid by Noel, and Arthur and his wife remained in occupation of the property.

At trial Arthur gave evidence of the circumstances of the sale which was unchallenged. It was clear from that evidence that the consideration for the sale was the £70,000 and a half share of the profits of redevelopment of the property by Noel. No time was agreed for the payment, and Arthur and his wife were to remain rent-free in occupa-

tion until the property was required for redevelopment.

In 1987 Noel conveyed the property to the first defendant. On December 9, 1988 the first defendant granted the plaintiffs a first legal charge on the property. Arthur's wife had died but Arthur remained in occupation, yet the plaintiffs made no inquiry of him, assuming that the property was empty.

The judge had held that Arthur was not entitled to the unpaid vendor's lien over the property, and in support of his decision it was submitted by the plaintiffs that the proposal for sharing the profits of the redevelopment was inconsistent with the existence of a lien.

However, as soon as a binding contract was entered into the

vendor became entitled to the lien, which did not depend on completion of the contract. See *In re Birmingham* (1959) Ch 523 and *London and Cheshire Insurance Co Ltd v Laplagere Property Co Ltd* [1971] 1 Ch 499.

Even if the vendor executed an outright conveyance and parted with possession of the property and the title deeds, he had an equitable lien on the property in respect of the unpaid purchase money: see *Williams on Vendor and Purchaser* (4th edition [1936]) vol 2 pp983-984.

The test of the existence of the lien was to be objectively ascertained from the transaction between the parties: *Winter v Lord Anson* (1827) 3 Russ 488. The subjective intention of the parties was irrelevant.

The contrary statement in *Snell's Equity* (29th edition [1990]) was not supported by the authority there cited. *Davies v Thomas* (1900) 2 Ch 462 and was inconsistent with *Kettlewell v Watson* (1884) 26 Ch D 501.

Thus, the question was whether there was anything in the transaction which would lead to the exclusion of the lien. All that the plaintiffs could rely on was that the parties had contemplated sharing the profits of the redevelopment, but that was not a precondition of the sale. To subordinate the lien to the plaintiffs' charge would have required the vendor's consent, which was not given.

Lord Justice Thorpe and Lord Justice Waite agreed.

Solicitors: Leeds Day, Sonday, Harris Rosenblatt & Kramer.

## Reasons need not be given

**Regina v Secretary of State for the Home Department, Ex parte Al-Fayed Same v Same, Ex parte Fayed**

The Secretary of State for the Home Department was under no duty to give reasons for refusing applications for naturalisation under section 6(1) and (2) of the 1981 Act.

Mr Justice Judge, sitting in the Queen's Bench Division, so held on February 26, dismissing

applications for judicial review by Mohamed Al-Fayed and Ali Fayed against the Home Secretary's refusal of their naturalisation applications under section 6(1) and (2) of the 1981 Act.

The grounds of challenge were that the secretary of state was in breach of the rules of natural justice in failing to allow the applicants the opportunity of making representations and in failing to give reasons for his decision.

MR JUSTICE JUDGE said that the unequivocal language of section 44(2) of the 1981 Act meant that, however desirable to an

applicant or the court, the secretary of state could not be required to give reasons for a refusal under section 6 and no duty could be created by implication.

On the unconfronted facts divorced from the statutory context the process lacked the appearance of fairness; but that did not mean that the decision was unlawful. Questions of fairness had to be decided in the context in which they arose. In the present case the imposition of a right to be heard in accordance with the principles of fairness was inconsistent with the language and effect of section 44(2).

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Both obituary columns and *Desert Island Discs* should offer affectionate recognition of public figures, not derision and criticism

## A grilling in Sue Lawley's desert



BRENDA MADDOX

One of the most terrifying moments in my life as a journalist came when, as a novice on the *Patriot-Ledger* in Quincy, Massachusetts, I was asked to update the obituary of the Roman Catholic Cardinal of Boston. Updating obituaries was what we did in the afternoon on this suburban daily, to fill in the stretch between the last deadline for the final edition (1pm) and the time we could go home (3.30pm).

I dialled the Chancery, confident that an able Monsignor would fill me in. To my horror the telephone was answered by an unmistakable South Boston voice of jagged steel, renowned for rasping the Rosary over the radio.

The *Patriot-Ledger*, I remembered, wanted to know, if, er, His Eminence had any, gulp, recent honours or publications to add to his... long list of achievements.

"Whaddya wanna know fah?" demanded the shrewd prelate. Now it should not be hard to explain to a man of God of advanced years that he is mortal. Yet somehow I found it so. I cannot

remember how I escaped from this telephonic nightmare, but I do know that I could have assured my interrogator that the word "tramp" would not appear in his obituary.

The row about the Press Association's description of the late Lord Jay as "a shambling figure once mistaken for a tramp" marks a battle worth fighting. That these and other derisive phrases about a newly dead man should come from a wire service — no stylist's paradise — proves that the trend for fine writing in obituaries has gone too far.

Obituary does not mean hagiography. Everybody welcomes the new freshness of obituary writing which allows for humour, anecdote and reminders of the flaws of the deceased. But an obituary is above all a ceremonial speech, a form of words and information to mark the close of a life. Barbs are permissible, especially if the obitu-

ary is signed. But decorum is essential, as are biographical details. A Last Judgment is not.

A review of the public performance of a prominent figure belongs elsewhere in the paper. And I say paper, because obituaries are inherently a print phenomenon. Paper endures. Why ugly obituaries hurt relatives so much is that they are written records cut out and kept, like wedding photographs, in the family archive.

Accuracy must be uppermost. Nothing can distress a family more than factual errors: two daughters, not a son and a daughter. Middle name James, not John. I imagine that the relatives of the young man who was recently described in the *Brecon and Radnorshire Express* as "126 years old" were just as upset as those of Lord Jay by what they read.

American obituaries, po-faced

compared to the best of British, are far less shy about stating the cause of death. If the American variety ventures into troubled waters, these tend, as befits a nation of hypochondriacs, to be in the region of health. Words like "a heavy smoker, she died of lung cancer" reek with moral reproach, and to find half a dozen deaths from "an AIDS-related illness" scattered across the obituary pages is a

social comment in itself. (Anthony Howard, obituaries editor of *The Times*, tells me that he tries to include the cause of death up to the age of 70, after which, barring accident, the cause can be safely assumed to be *anno domini*.)

The very fact of mentioning an obituary in a national newspaper implies some contribution to public life. So does an invitation to appear on *Desert Island Discs*. To require those who accept to defend their reputations is an insult to all those who carry around in their heads their own list of eight records, should the call come.

Sue Lawley's mistake is to treat the programme as investigative journalism or psychological profiling, rather than an affectionate ritual of recognition for having made a mark.

Once again, the sin — for which the producer, who does the editing, should probably get most of the

blame — is to misunderstand the genre. To ask Gordon Brown, the Shadow Chancellor, to defend himself against charges of homosexuality because he is unmarried at forty-something is as out of place as if on *Newsnight* Jeremy Paxman were to ask the Chancellor, Kenneth Clarke, which book he would like to take to a desert island, excluding the Bible and Shakespeare which are already there.

Months ago, I was irritated by Ms Lawley's grilling of Professor Eric Hobsbawm about his Marxist philosophy, as if he were Oppenheimer about to be stripped of his security clearance rather than an eminent historian and jazz expert. Perhaps they should rename the programme *Devil's Island Discs* and openly treat an appearance as punishment.

Choosing words that go far but

not too far is a delicate art which the British both enjoy and indulge. A colleague on *The Economist* once refused the ritual leaving party in order to avoid the speech: "Words that will burn in your mind for the rest of your life." Malpractice can be seen at weddings, as Hugh Grant ably demonstrated, where custom requires the best man ceremonially to list the shortcomings of the newlyweds which make them so well suited to each other.

So where is the place for judgment, wars and all? Biography — a genre in which I must declare an interest. The living are protected by the laws of libel and defamation, the dead by their executors and the laws of copyright, and both by rival biographers rushing in with a different view. You can be sure that by the time it takes to get a book out, a decent time interval will have elapsed.

In any case, the Amises, dead and alive, can look after themselves. Come to that, probably so can the Jays.

## Stiff upper lips: sold out

Alan Mitchell on the marketing drive to free Britain plc from its image of pomp and circumstance

In an age of supposed globalisation, where a product comes from ought not to matter. But like it or not, it does. Consumers believe that France is where good wines and perfumes come from, and they think Japan makes the best consumer electronics. So Elida Gibbs, the British toiletries company headquartered in Kingston upon Thames, recently changed its name to Elida Fabergé. Dioxons, meanwhile, sells its own-label electrical goods under the pseudo-Japanese name of Matsui.

Only last week the EC was pronouncing on which products, from feta cheese to champagne, could officially keep exclusive links with their place of origin. But if France stands for wine and perfume and Japan for consumer technology, what does Britain stand for? Burberry and Dunhill, the Royal Family, the Empire — in other words, tradition. Yet now, from the Foreign Office and the Department of Trade and Industry to the Labour Party, there is a growing belief that this may not be the best image of "Britishness".

"Our image has been left in a time warp," says Paul Southgate, chief executive of Wickens Tun Southgate, a brand identity firm. "There is a need, if Britain is not to become the world's 'Ye Olde Gifte Shoppe', to inject a sense of dynamism and modernity."

Peter Cheney, secretary of the British Council, agrees. He says there is a view in government circles that "Britain's image is impeding the promotion of British assets".

Marketers in every part of British industry are already having to grapple with the issue. British Airways, British Gas and BT, for instance, have all had to decide whether to keep the tag "British".

Rover deliberately sells Britishness in all its brands, says Ian Strachan, corporate communications director. Land Rover, for example, plays up its associations with the monarchy. But he adds: "The problem we have is that it is difficult to sell technologically advanced products on that basis."

Likewise the British Tourist Authority, which has long traded on Britain's imperial past, recently found that young Europeans and Americans increasingly see a visit to Britain as more like an educational exchange than an exciting holiday. As a result it is now beginning to promote Britain's pop music, fashion and design, and the vibrancy of the London club culture.



Flying the flag: BA, Land Rover and designer Paul Smith all market the "Britishness" of their products

Even arch-purveyors of British tradition such as the Dorchester hotel, Holland & Holland guns, Mulberry, Penhaligon, *Harpers & Queen* and Daks Simpson are becoming concerned about the negative implications of too much heritage. In 1992 they formed the Walpole Committee to promote British excellence and quality. Jeremy Franks, its chairman (who is also chief executive of Daks Simpson), says: "Yesterday's innovation is today's tradition because it was successful. But if we rely on the past too much, we will become boring and outdated."

The trouble, says Anne Elwes, planning director of the advertising agency BMP, is that while brands such as Dunhill and Fortnum & Mason make a big play of British quality, authenticity and craftsmanship, "what they are actually selling is the class system". And that, she adds, inevitably creates an aura of snobishness.

So what alternatives to that image are there, if any? Britain's role as a leader in scientific research and academic excellence and as a world

financial, media and communications centre belies the cliché of a faded post-imperial decline, declares Sir Martin Jacobson, British Council chairman. Some British qualities, such as a sense of perspective, balance, human dignity and politeness, remain admired around the world, notes Dave Allen of identity consultants Sampson Tyrrell. Britain's success in the performing arts, design and advertising proves it could play up its creativity and originality, adds Ms Elwes. Paul Smith, the fashion designer, already makes his profits selling a new Britishness abroad: he has 147 shops in Japan.

Research for a British corporation in the US and Japan has, meanwhile, uncovered a potential "gold mine", says Mark Sherrington of Added Value marketing consultants. There is a lasting admiration for British inventiveness and problem-solving, which, he suggests, British service companies could use to differentiate themselves from the "have a nice day" American

approach and the Asian "how low can you bow" style.

Geoff Mulgan, of the independent think-tank Demos, agrees that Britain is under pressure to reinvent its national image. But as all good identity consultants will tell you, the best corporate identity expresses the fundamental spirit of the entity. And the truth is, we Brits are having an identity crisis. The future of the monarchy and the Union. The Irish question. Our relationship with America and with Europe. The state of the economy. These all pose fundamental questions about our past and future. Post-Thatcher, "people aren't sure which parts of our heritage to be proud of", says Mr Mulgan. "What we need is a new set of brand symbols," says Mr Southgate.

What? Abolish the Union Jack and God Save the Queen? As Mr Mulgan points out, both are inextricably linked to our current constitutional arrangements. Giving Britain plc a marketing and image makeover may not be as easy as it seems.

Alexandra Frean on the Harrods chief's ambitions

## Al Fayed eyes Observer as base for new media empire

Mohamed Al Fayed, the owner of Harrods, has raised the stakes in his long-running battle to become accepted by the British Establishment. Foiled at every turn in his attempts to buy into the media with offers for London News Radio, Today, the *Daily Express* and *The Observer*, he has created his own media empire from scratch. It is to be called Liberty Publishing and its first project will be its much-publicised resurrection of *Punch* under the editorship of Peter McKay.

But Mr Al Fayed does not intend to stop there. Although he has ditched plans to launch a mid-market Sunday newspaper, Liberty Publishing is offering "up to £20 million" to buy *The Observer* from the Guardian Media Group. The company has also said it would be prepared to consider buying up other fading print titles to revive them. In the longer term, it is considering expanding into radio, television and other media.

Mr Al Fayed is clearly anxious to avoid charges that he would use *The Observer* and any other media outlets as vehicles for his criticism of the Government for refusing to grant him British citizenship, or for his sleaze allegations against Tory MPs. As Michael Cole, Mr Al Fayed's spokesman, says, the very name of his media company is symbolic. "He chose the name himself and thought it a very good omen when he discovered it was available... he wanted to show that the company was not a branch of Harrods."

Mr Al Fayed has hired two heavyweights to front Liberty. Stewart Stevenson, former editor of *The Evening Standard*, is chairman and John Dux, managing director from 1990 to 1995 of News International, owner of *The Times*, is general manager.

Mr Stevenson says he would not have become involved if he thought he was going to be subjected to heavy-handed proprietorial meddling. After 15 years as an editor, I was in the position of not having to work for the rest of my life. I would simply not have been interested unless it was to produce really marvellous products... What we know

about the sort of proprietorial behaviour indulged in by Tiny Rowland when he owned *The Observer* is that the public won't accept it," he says. Liberty's offer for *The Observer* comes with formal guarantees of editorial independence. There are promises too of "considerable" editorial budgets for both *Punch* (which cost Mr Al Fayed £500,000) and *The Observer* to ensure that their editors would not need to go running to their proprietor, cap in hand.

If Liberty were to acquire *The Observer* — its approaches have so far been rebuffed by the Guardian Media Group — it would target not the *Independent on Sunday* but *The Sunday Times*, which currently holds 49 per cent of the Sunday broadsheet market.

The company says it would attempt to match *The Sunday Times* in size, page for page, and would compete with it for book serialisation rights and the best writers.

While no one doubts that Mr Al Fayed has sufficient money to build up at least a mini media empire, many doubt whether he has what it takes to succeed. Sir David English, chairman of Associated Newspapers, publisher of the *Daily Mail*, believes that it would take at least ten years to get *The Observer's* circulation up to the levels of 800,000 or so it would need to take on *The Sunday Times*. "The question is not one of money, but one of time. Taking on *The Observer* is not a job for someone in his sixties."

Perhaps Mr Al Fayed's biggest problem, however, will be the prejudice against him, not merely from the Government, but from all levels of the media. As another veteran former Fleet Street editor said: "He will need to recruit a large staff. Prejudice exists among a lot of journalists who would otherwise work for him."



Steven: heavyweight



Al Fayed: no meddling

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## The attraction of opposites

NEWS and current affairs programmes are more sensitive than most to what is on the other side of what is scheduled around them. Alexandra Frean writes. BBC's Saturday evening news, which tops our chart with 12.8 million viewers, benefited greatly from its position after the popular

drama serial *Casualty*.

BBC's *Here and Now*, at the bottom of our ratings chart with 4.5 million viewers, habitually suffers from being scheduled opposite the ITV soap *Coronation Street*. On March 6, however, when *Street* was moved to make way for football on

ITV, *Here and Now's* audi-

ence rocketed to a record 9.2 million.

Although ITN's *News at Ten* and BBC's *Nine O'Clock News* are level pegging in our chart, *News at Ten's* average nightly audience for the whole of 1995 was 6.6 million compared to 5.7 million for the *Nine O'Clock News*.

Brian MacArthur on the latest newspaper sales figures

## Mail ready to 'crush' Express

Sir David English, Editor in Chief of the Mail group, has vowed to "crush" the *Sunday Express* if Sue Douglas, its new Editor, succeeds in pushing its sales within reach of *The Mail on Sunday*. He has no need to reach for his cheque book yet.

Ms Douglas deserves sympathy. Sales of the *Sunday Express* have been sinking year by year for four decades. Simply to stop the slide would be an achievement. There are faint signs, moreover, that both she and Richard Addis, the new Editor of the *Daily Express*, are slowing down the rate of decline. Sales of the *Daily Express* dropped by only 950 last month, against a fall of 26,000 for the *Daily Mail*, and the *Sunday Express* lost only 6,700.

Year-on-year sales, however, show the uphill task facing Addis and Douglas. Sales of the *Daily Mail* are up by 281,000 (16 per cent) against a fall of 8,900 for the *Daily Express*. The *Mail on Sunday* is up by 188,000 (9.7 per cent) but the *Sunday Express* is down by 131,000 (9 per cent). Meanwhile *The Sunday Times* outsold the *Sunday Express* for the second month

running and recorded a sale of more than 1.3 million for the first time since September 1989, when the short-lived *Sunday Correspondent* was launched (followed by the *Independent on Sunday*).

Year-on-year increases are also being recorded by *The Times* (which hit a new record last month and outsold *The Guardian* and *The Independent* combined), the *FT*, *Daily Mirror* and *Daily Star*. Sales of *The Daily Telegraph* were at their lowest since the cover price was reduced in June 1994 and — sold at full price — fell below a million a day for the first time since then.

Broadsheet sales on weekdays and Sundays were up on a year ago while tabloids were down by more than 300,000.

### FEBRUARY GAINS AND LOSSES

Daily titles	Av daily sale	Compared with Feb 95	%
The Sun	4,073,801	-51,781	-1.26
The People	2,028,115	-46,110	-2.22
Daily Mirror	2,514,427	+51,044	+2.07
Daily Star	759,685	+5,574	+0.74
Daily Express	1,285,018	-8,808	-0.69
Daily Mail	2,036,716	+281,270	+16.00
The Times	1,686,205	+57,515	+3.42
The Daily Telegraph	1,027,882	-29,896	-2.93
The Guardian	402,214	-1,191	-0.30
The Independent	285,809	-4,308	-1.49
Financial Times	308,556	+17,292	+5.56
Sunday titles	Av daily sale	Compared with Feb 95	%
News of the World	4,656,718	-192,983	-4.16
The People	2,028,115	-46,110	-2.22
Sunday Mirror	2,424,033	+104,188	+4.31
Sunday Express	1,276,984	-131,245	-10.31
The Mail on Sunday	2,138,485	+188,900	+8.89
The Sunday Times	1,314,337	+52,134	+4.13
The Observer	481,387	-12,565	-2.55
The Sunday Telegraph	569,448	-3,412	-0.59
Independent on Sunday	312,068	-4,063	-1.29

Source: ABC

### THE TIMES TOP 20: NEWS AND DOCUMENTARIES

February 19 to 25, 1996

Programme	Date	Time	Channel	Producer	Audience (m)
1 News, Sport and Weather	Sat 24	20.57	BBC1	BBC	12.8
2 News and Weather	Sun 25	20.51	BBC1	BBC	11.5
3 Blues and Twos	Thu 22	20.32	ITV	Zenith North	10.9
4 Great Ormond Street	Tue 20	20.00	BBC1	BBC	8.7
5 Six O'Clock News	Mon 19	18.00	BBC1	BBC	8.3
6 News at Ten	Mon 19	22.02	ITV	ITN	8.2
7 Nine O'Clock News	Thu 22	21.00	BBC1	BBC	8.2
8 How Do They Do That?	Wed 21	20.01	BBC1	Reg Grundy Prods	8.1
9 Points of View	Wed 21	20.50	BBC1	BBC	7.7
10 Redcaps	Thu 22	22.21	BBC1	Mann Media Films	7.4
11 999 International Rescue	Tue 20	22.16	BBC1	BBC	7.2
12 Alien Empire	Thu 22	20.00	BBC1	BBC/WMNET-Thirteen	7.2
13 Watchdog	Mon 19	19.31	BBC1	BBC	6.9
14 Early Evening News	Mon 19	17.40	ITV	ITN	6.6
15 News	Sun 25	21.45	ITV	ITN	6.4
16 World in Action	Mon 19	21.33	BBC1	BBC	5.8
17 Panorama	Mon 19	20.02	ITV	Granada	4.9
18 Island of Dreams	Mon 19	21.01	CH44	Touch Prods	4.7
19 One O'Clock News	Mon 19	13.00	BBC1	BBC	4.7
20 Here and Now	Wed 21	19.30	BBC1	BBC	4.5

BARB (Broadcasters' Audience Research Board)/David Graham & Associates 01823 322829. Copyright 1996. Unauthorised reproduction, republication or transmission not permitted. Highest editions per week only. Incomplete network transmissions marked (\*).





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Can London be made a place fit for walkers?



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How to cope when a family splits up



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Bruno exudes new-found air of confidence

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# THE TIMES

BUSINESS EDITOR Lindsay Cook

WEDNESDAY MARCH 13 1996

Insurer starts talks with the DTI as bumper dividend is forecast

## Prudential to share out surplus assets

By MARIANNE CURPHEY

SHARES in Prudential Corporation surged 27p to 454p yesterday in anticipation of a bumper dividend after the insurer confirmed it had begun talks with the Department of Trade and Industry over redistributing assets surplus to its liabilities to policyholders.

Shareholders stand to benefit from such a distribution, either receiving increased dividends, or a one-off special dividend. The Prudential's six million policyholders may also benefit from a slice of the so-called "orphan" funds. However, the company refused to say whether policyholders would definitely share in the windfall.

The surplus assets of the Prudential, which is the biggest name in personal pensions with a 9 per cent share of the market, are estimated at between £500 million and £5 billion. The Prudential would not specify a more exact figure.

Tomorrow 1.4 million Legal & General with-profits policyholders, who were initially omitted from plans to redistribute surplus funds, will learn more about the £160 million special bonus they are to share from the surplus on the long-term fund when year-end results are announced.

L&G's 38,860 shareholders will also hear more about their £15 million payout.

Like other insurers, the Prudential has amassed large reserves over the years because profits from investment have exceeded the actual payouts given to policyholders, and the maximum man-

agement fee has not always been charged to the life fund.

The official announcement comes after months of speculation that the company would try to free these funds.

Peter Davis, the Prudential's new chief executive, said yesterday it was "far too early" to say how shareholders or policyholders would benefit, and said talks with the DTI would take at least 12 months.

Some analysts suggested £4 billion might be apportioned to shareholders, which would result in a dividend of more than ten times the current annual payout.

More conservative estimates put the surplus at £2

ers. But the Prudential will not necessarily use the same formula. Actuaries believe the Prudential negotiations will be more legally complex because it has been writing business for longer than L&G.

As the Prudential unveiled better than expected full year 1995 results yesterday, its new chief executive, Peter Davis, confirmed he had been "in preliminary talks with an unspecified number of life companies" and was also interested in acquiring a building society.

Possible purchases might include the Woolwich and Alliance & Leicester building societies. The Prudential would move before the societies reach the stock market sometime in 1997. Other possible targets include the mutual life offices, such as Scottish Amicable, Scottish Widows, or Clerical Medical — which has already indicated it is looking for a buyer.

The Prudential has already spent £20 million this year setting up a banking arm.

Mr Davis announced a 16 per cent increase in operating profit to £804 million (£693m restated), with the biggest contribution coming from Jackson National Life the US subsidiary, which made a profit of £241 million, up £87 million, compared with a slight decline in profits from Prudential UK from £381 million to £350 million.

Operating earnings per share rose 9 per cent to 28.7p, while the total dividend was increased by 9 per cent to 15.7p per share.



Peter Davis, Prudential chief executive, left, and Jonathan Bloomer, finance director

## Bradford & Bingley rate at 35-year low

By ROBERT MILLER

BRADFORD & BINGLEY yesterday cut its home loan rate to a 35-year low, further fuelling the cut-throat nature of the £400 billion mortgage market. The last time borrowers paid such a low rate was in August 1960.

Britain's fifth-largest building society denied accusations from rivals that its move was a marketing ploy. A spokesman said that, unlike banks and other societies which were soon to become stock market companies, Bradford & Bingley's new standard variable rate of 6.99 per cent, compared with an industry average of 7.25 per cent, was "a sustainable, long-term commitment".

Of the mainstream bank and building society lenders, only Nationwide Building Society, which last month announced that it would give back to savers and borrowers half of its annual £400 million profit, is comparable with the new Bradford & Bingley rate.

The Halifax, the UK's largest lender, with some 2.3 million borrowers, said: "We still feel that our mortgage rate of 7.25 per cent is appropriate against a bank base rate of 6 per cent, and of course we do offer substantial discounts, such as a 6.1 per cent discount for one year. However, we always keep our rates under review."

The most competitive rates on offer are being promoted by the telephone-based lenders such as Bradford & Bingley Direct, at 5.99 per cent, and Direct Line, a subsidiary of the Royal Bank of Scotland, at 6.25 per cent. A spokeswoman for Direct Line said that it had taken 15,000 calls in the past week alone.

As the market gears up for the traditional Easter week-end start to the house-buying season, competition to lend money to buyers is likely to become even more intense.

## BUSINESS TODAY

### STOCK MARKET

FT-SE 100	3639.5	(-35.0)
Yield	4.89%	
FT-SE All share	1910.03	(-10.80)
Nikkei	19950.27	(+153.98)
New York		
Dow Jones	8526.45	(-54.55)*
S&P Composite	633.96	(-4.48)*

100 FRANK		
Federal Funds	9.25%	(5.75%)
Long Bond	8.01%	(9.1%)
Yield	6.71%	(8.84%)

LONDON MONEY		
3-month interbank	8.75%	(8.75%)
12-month bill	10.75%	(10.75%)

### STOCKS

New York	1.8216*	(1.5844)
London		
£	1.9108	(1.9243)
DM	2.2500	(2.2539)
FF	7.7023	(7.7245)
Sfr	1.8225	(1.8278)
Yen	160.55	(160.13)
£ index	65.2	(65.6)

### STOCKS

London	1.4778*	(1.4822)
DM	6.6504*	(6.0725)
Sfr	1.1971*	(1.2011)
Yen	105.04*	(105.50)
£ index	98.7	(98.7)

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## Hanson finishes sell-off in US

By ALASDAIR MURRAY

HANSON yesterday completed its £1.9 billion US asset disposal programme with the £1 billion sale of the remainder of Cavenham, its forest industries subsidiary, to Williams, an American group.

The news was welcomed by the City which has been keen to see Hanson substantially reduce its debt pile ahead of the company's break-up. Hanson shares closed up 2½p at 192p.

Hanson has now disposed of about £1.9 billion worth of assets since the start of the year. Last month, Hanson completed the £510 million float of Suburban Propane on the New York Stock Exchange.

William Landuyt, chief executive of Hanson Industries, said: "These sales have placed us well ahead of schedule on our £2 billion disposal programme. The net cash proceeds will reduce cash and

gearing substantially." Hanson announced its intention to dispose of about £2 billion worth of assets at the end of last year to help to reduce debt after the £2.5 billion purchase of Eastern Group. Hanson still has to sell its 12.5 per cent National Grid stake, inherited with the Eastern acquisition, which is expected to raise a further £400 million.

Hanson shares slumped after the announcement of the demerger plans as worries grew about the tax, debt and dividend consequences. In the past few weeks, the price has climbed as bid rumours circulated around subsidiaries Imperial Tobacco and Eastern, and the company suggested that the tax consequences would not be as bad as the market feared.

Tempus, page 28

## Barclays to axe 500 regional jobs

By ALASDAIR MURRAY

BARCLAYS is to cut 500 jobs in its 12 regional offices in England and Wales this year, about a quarter of the staff employed there (Patricia Teban writes).

Bifu, the banking and finance union, condemned the move. Rob MacGregor, assistant secretary, said: "These cuts are ill thought out. It's just more cost cutting and it will mean less support for the high street branches."

He also criticised the bank for refusing to rule out compulsory redundancies. However, a spokesman for Barclays said that the cuts were part of the increased impact of new technology and trying to ensure that the more centralised jobs were done as efficiently and cost-effectively as possible.

The bank said that no jobs would go from the Scottish office.

## Liffe gears up for monetary union

By GEORGE SIVELL

LIFFE, the London International Financial Futures and Options Exchange, revealed that it would alter contracts for the possible start of European monetary union. The announcement came as part of London efforts to capture the market in the new euro currency.

But the news came just minutes before John Major declared that "there are circumstances in which it might be appropriate to have a referendum on the particular matter of whether this country should decide to join a single currency".

Liffe is due to list euro-mark contracts for delivery in March 1999 next week in addition to the short sterling future for delivery in March 1999.

After January 1, 1999, countries participating in European monetary union will run their national currencies in

parallel with the euro at a fixed exchange rate. Liffe, however, expects that interest rates on euros and national currencies may differ because of varying demand, largely because big business will make a dash for euros.

If the interest rates differ Liffe made it clear yesterday that it would settle the contracts against euro rates. Liffe said that "if EMU is delayed or if a particular country is not a full participant, the relevant contracts will settle as now".

Last week, Matif, the French futures and options exchange, said the French franc three-month Libor rate, used to settle Libor futures contracts, would become a euro three-month Libor rate. Liffe said that it would use as a reference for contracts the British Bankers Association interest settlement rate for euro deposits.

## Cordiant boardroom battle costs £20m

By ALAS

## Sharp rise in BASF profits

BASF, one of Germany's three largest chemical groups, reported a sharp recovery in profits to DM2.47 billion (£1.1 billion) in 1995, up 92 per cent from DM1.28 billion in 1994. Group sales increased 5.9 per cent to DM46.2 billion from DM43.7 billion. A divisional breakdown is expected later this month. The company also announced it would raise its regular annual dividend by 40 per cent to DM14 from DM10.

### Britton up

Profits at Britton Group, the folding cartons and packaging company, rose to £19.3 million before tax in 1995 from £10.7 million in the previous year. Turnover improved to £303.8 million from £214.4 million. Capital expenditure was £27 million and earnings advanced to 10.18p a share from 7.45p. The final dividend of 1.8p a share, payable May 28, lifts the total to 3p from 2.5p. Shares rose 1p to 155p.

### Disney delight

Buoyed by its dramatic recovery from the brink of bankruptcy, Euro Disney, which operates Disneyland Paris, is on course for a "satisfying" second quarter, Philippe Bourguignon, chairman, told shareholders at the annual meeting in Paris yesterday. The company's shares rose 3p to 182p.

### Peru brew

Inchope, the UK international services and marketing group, is paying £22 million for a 25.01 per cent stake in Peru's largest Coca-Cola bottling company, Embotelladora Latinoamericana SA. The investment will be made in two cash tranches of £15.4 million and £6.6 million.

# Former adviser to Asil Nadir denies laundering money

By JON ASHWORTH

THE Serious Fraud Office was "barking up the wrong tree" in suggesting that a former adviser to Asil Nadir was guilty of handling stolen funds, the Central Criminal Court was told yesterday.

Elizabeth Forsyth was never a signatory to the accounts of Polly Peck International (PPI), contrary to the evidence of an officer of SG Warburg Solicitors in Switzerland. The error was an "entirely honest" one, but it seemed to have led the police and the SFO on "quite a merry dance".

Geoffrey Robertson, QC,

was opening the defence case for Mrs Forsyth, 59, who denies handling nearly £400,000 in funds allegedly stolen by Mr Nadir from PPI. At no time had Mrs Forsyth pretended to be a PPI signatory. Neither had she "carried this large sum of money around Geneva for several days as though she was some sort of money launderer".

Mr Robertson said Mrs Forsyth was used to carrying large sums of cash, thanks to her former job as a banker advising Middle Eastern royals. On her visit to Switzer-

land in October 1989, she had not kept the £400,000 "stashed in a suitcase under her bed" or carried it around Geneva in the traffic. Instead, it had been kept in a safe, protected by a modern security system.

The Crown's central allegation, the court heard, was that Mrs Forsyth had laundered the money by collecting it from one bank in Geneva, and sending it back to the UK by way of another. Mr Robertson said: "If she's a launderer, she's not much of a washerwoman, because she leaves her name all over the shirts." The impres-

sion, he said, was of someone "blundering into banks for the first time" and referring to a criminal transaction back to her own bank in the UK. Mrs Forsyth had "acted quite openly, leaving her signature and her name on every stage of the transaction".

The payment of £400,000 had been recorded in the PPI accounts as a transfer to Unipac, a subsidiary in northern Cyprus. The unanswered "big question" was whether there was any matching credit in the books of Unipac.

Mrs Forsyth then began to

give evidence. She told the jury about her early years advising wealthy foreigners on their banking affairs. Mr Nadir, one of her clients at Citibank, had inherited "substantial amounts of wealth" on the death of his father in 1986, and his tax position was becoming problematic. Mrs Forsyth agreed to run his private office, and liaise between accountants and the Nadir family trusts.

She told the jury that Mr Nadir had hoped to take PPI back into private hands. The trial continues today.

## TI faces growing challenge

By CHRISTINE BUCKLEY

TI GROUP, the engineering and aerospace group, struck a note of caution yesterday as it reported a strong performance for 1995.

The company, which lifted annual pre-tax profits 21 per cent to £184.8 million, said the current year was likely to prove more of a challenge. Brian Walsh, vice chairman and finance director, blamed generally subdued economies rather than particular obstacles facing TI's businesses. The group is heavily exposed to the automotive industry, where recovery is likely to be slow.

TI was upbeat about the aircraft market and Sir Christopher Lewinton, chairman, said he was confident of an upturn as airline profitability was restored. Order books across the divisions are up by 20-25 per cent, Sir Christopher said. A final dividend of 8.75p is due on May 29, lifting the total 9 per cent to 13.1p.

Tempus, page 28



Sir Christopher Lewinton said order books across the divisions were up 20-25 per cent

## European expansion for Daewoo

By ROSE THOMAS

DAEWOO Electronics is to invest up to \$2 billion in washing machine, refrigerator and components plants to try to capture a hefty share of the European market.

Britain has been identified as a possible location for plants manufacturing washing machines and compressors, industrial motors and magnetrons for microwave ovens. JB Chun, managing director of Daewoo Electronics Europe, said: "These are all products that we are considering seriously."

The company has already established a washing machine plant in Poland, and is poised to announce its first refrigerator factory at Bilbao in Spain. The Korean group already manufactures video recorders and components at Antrim, Northern Ireland, and is one of the continent's leading manufacturers of microwave ovens.

Chill wind, page 29

## BUSINESS ROUNDUP

### Construction orders surge by 16%

THE construction industry received a boost yesterday as data revealed that orders in the three months to the end of January had risen by 16 per cent on the previous three months. The increase resulted from strong demand for commercial and non-housing work, with private commercial orders for the three months up 74 per cent on the same period last year.

The recovery remains patchy, however. Homebuilders continued to suffer, with orders unchanged on the previous three months and 16 per cent lower than a year before. Public housing orders fell 24 per cent on a year-on-year basis. Infrastructure orders were down 19 per cent on the previous three months. But the figures were generally welcomed by industry organisations, who believe that the sector's recovery can now be sustained. Richard Houghton, of the Royal Institution of Chartered Surveyors, said: "Coupled with the latest interest rate cut, the outlook for 1996 is encouraging." The total value of new orders was £1.94 billion.

### Yorkshire TV confident

YORKSHIRE-TYNE TEES TELEVISION does not expect a bid from Granada, which last month raised its stake in the ITV company to almost 25 per cent from 14 per cent at a cost of £52 million. Ward Thomas, chairman of Yorkshire, said Granada is more interested in integrating Forte, which it bought in January for £3.9 billion, into its operations. Yorkshire reported 1995 pre-tax profits of £21.6 million (£11 million), with final dividend of 10.3p giving a total of 14p (4.8p).

### Chemicals group suffers

MARGIN erosion, rising raw material prices and restructuring costs took a toll on Holliday Chemical Holdings, the specialty dyes and chemicals group that issued a profits warning in January. Pre-tax profits fell to £12.1 million in the year to December 31, from £19.3 million, on turnover of £158.5 million (£132.9 million). There was a £3.34 million exceptional charge. The final dividend is maintained at 3p, giving an unchanged total of 5p, from fully diluted earnings of 7.1p (13.9p) a share.

### BCCI claims invited

LIQUIDATORS of the collapsed Bank of Credit and Commerce International (BCCI) have asked creditors to submit remaining claims by April 5 so that compensation can be paid. In an announcement in newspapers in Abu Dhabi, the central bank of the United Arab Emirates said it had transferred the receivership of the bank to three liquidators. Compensation payments to more than 250,000 creditors worldwide are expected to start in the first half of 1996.

### Charges hit Crestacare

CRESTACARE, Britain's third-largest nursing home company, made pre-tax profits of £2.9 million for 1995, against £6 million in the previous year, after a £2.2 million exceptional charge and depreciation charges of £1.4 million on freehold buildings. Turnover was £43 million, up 18 per cent. Earnings per share were 0.9p, against 2.6p. Last year marked the first time that Crestacare took such depreciation charges. A 0.59p final dividend, due on May 16, makes 0.88p (0.79p).

### Kalon in the red

KALON GROUP, which last June became Europe's second-largest decorative paint maker after a merger with Euridip of France, was dragged into the red by a £25.1 million reorganisation charge, higher raw material costs and margin erosion. Profits before tax and exceptional charges rose 12 per cent to £22.1 million in the year to December 31, but the reorganisation charge pushed Kalon to a pre-tax loss of £2.98 million. The final dividend is raised to 3.2p, making 14.8p for the year.

### Loss at Expamet

EXPAMET International, which supplies products for building and industrial applications, is maintaining the total dividend at 3p a share for 1995, with an unchanged final of 1.65p. Operating profits from continuing businesses rose 31 per cent to £6.4 million. At the pre-tax level there was a loss of £31.3 million, reflecting the write-off of goodwill associated with the company's security businesses, which were sold during the year. Profits in 1994 were £5.8 million before tax.

## TOURIST RATES

	Bank	Bank
	Buyer	Seller
Australia \$	2.08	1.85
Austria Sch	13.91	13.41
Belgium Fr	40.46	45.16
Canada \$	2.157	2.027
Cyprus Cyp£	0.781	0.886
Denmark Kr	8.36	8.55
Finland Mk	7.58	8.03
France Fr	6.15	7.50
Germany Dm	2.48	2.21
Greece Dr	300.00	285.00
Hong Kong \$	12.42	11.42
Ireland Ir£	1.02	1.02
Israel Sh	6.1200	4.4700
Italy Lit	2486.00	2351.00
Japan Yen	176.10	156.10
Malaysia M	3.81	3.58
Netherlands Gld	2.094	2.454
New Zealand \$	2.28	2.15
Norway Kr	10.45	9.65
Portugal Esc	246.00	230.50
S Africa Rd	16.50	15.70
Spain Ptas	197.00	194.00
Sweden Kr	11.00	10.22
Switzerland Fr	1.97	1.79
Turkey Lira	107975	86675.0
USA \$	1.621	1.461

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

## NIE to receive £60m government subsidy

By CHRISTINE BUCKLEY

THE FIRST government subsidy of the privatised electricity industry will start in July when Northern Ireland Electricity uses part of a £15 million support package for this year to curb prices, currently the highest in the UK.

The Government will feed £60 million into the province over three years to part-pay generation costs which, largely because of Northern Ireland's isolated position, are high and drive up electricity costs to the consumer.

Dr Patrick Haren, chief executive of NIE, said: "This is not like some of the conven-

tional state aid to industry. It is to the benefit of all customers."

NIE, which will use the money through a separate electricity buying operation to pay its generation bills, has said it will now keep prices rises to 2.3 per cent. The company is also working on an energy efficiency scheme, into which it will pump just under £1 million.

The regulatory review for NIE, which is controlled separately, is scheduled for the summer when pricing controls will be determined to take effect from April next year.

## American sales boost fine art auctioneer

## Lots of profit at Christie's

By PATRICIA TEHAN

CHRISTIE'S International, the fine art auctioneer, enjoyed a 32 per cent rise in pre-tax profits last year to £21.5 million after an increase in auction sales, particularly in America.

Total auction sales were £914 million, a rise of 14 per cent, with the number of lots sold increasing by 10 per cent.

The biggest contribution to the growth in sales came from impressionist and modern pictures, where sales were 67 per cent higher as a result of strong demand for several

"very fine collections" that were put up for sale. The jewellery sales were also strong.

Highlights of the year included the sale of modern pictures and other works of art from the collection of Mr and Mrs Ralph Colin, which totalled \$42.7 million, and the sale of jewels from the personal collection of Princess Salimah Aga Khan, which raised £17 million.

Sir Anthony Tennant, chairman, said he was confident about the long-term prospects

for the company given the steady growth of the art market over the last few years and the increasing demand from buyers, but he said: "The short-term prospects for sales depend on the extent to which major collections become available for sale."

The final dividend payment of 2.15p is due on May 30, making a total for the year of 2.8p, against 2.1p in 1994.

Sir Anthony steps down in May, to be replaced by Lord Hindlip, who has been with Christie's for 33 years.

## CMG ahead of float forecast

CMG, the European information technology company that secured a share listing in London in November 1995, earned profits of £20.1 million before tax in 1995, a 38 per cent increase over 1994 and ahead of the floatation forecast. Earnings were 21p a share, rising from 14.8p. There is a maiden final dividend of 3.2p a share, due May 28. The shares rose 1p to 455p.

### Push by Parity

Parity, the information technology group, will seek further expansion in Europe to build on the three companies in Germany and France acquired in November. The company reported a rise in profits to £6.5 million before tax in 1995 (£4.2 million). Earnings were 10.3p a share (7.2p). There is a final dividend of 1.5p a share, making 2.5p for the year (1.75p).

### Spandex up

Profits at Spandex, the supplier to the European sign-making industry, rose 20 per cent to £8.5 million before tax in 1995 following a 25 per cent rise in turnover to £85.8 million. The total dividend is increased 14 per cent to 2.85p a share, with a 1.85p final due July 15. The shares, on the USM, rose 3p to 368p.

### Orange offer

Orange, the mobile phone company that is to float late this month, said that about 100,000 individuals have registered for the share offer. The minimum investment from individuals has been set at £1,000, and Orange warned that investors may not receive all the shares they want.

## Lloyds Bank Interest Rates for Business Customers

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### LOANS

	% Per Month	Eqv. Annual Rate %
Business Loan Standard and Farm Business Loan Standard	0.06	11.52
Business Loan Preferential and Farm Business Loan Preferential	0.79	9.48
Small Business Loan Standard	1.06	12.72 (APR 13.4)*
Small Business Loan and Farm Small Business Loan	0.06	11.52 (APR 12.1)*

\*The APR does not take into account any additional charges (eg arrangement fees/ securities charges/monthly fees) which may be applicable.

### INTEREST EARNING ACCOUNTS

Premier Interest Account†	Gross Rate %	Gross CAR %
£250,000+	4.40	4.91
£100,000+	4.55	4.65
£25,000+	4.10	4.18
£10,000+	3.80	3.87

\*No interest is paid on balances below £10,000.

Business Reserve Account	Gross Rate %	Gross CAR %
£10,000+	3.70	3.75
Below £10,000	3.50	3.55

Business Call Account	Gross Rate %	Gross CAR %
£250,000+	3.40	3.45
£50,000+	3.10	3.14
£10,000+	2.90	2.94
£1,000+	2.60	2.63
Below £1,000	2.20	2.22

These rates of interest apply with effect from 13 March 1996

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Will exp global

Costs rise takes toll of Delta

Wolseley shares after profit

□ Best policy at the Pru □ Employment agencies gain from flexible working □ Admen back on the straight and narrow

## A division of the spoils

IF PRECEDENT is followed, then yesterday's excitement on the stock market over the discovery of up to £5 billion lying around at the Pru's palatial offices at Holborn Bars was distinctly overplayed. But with that much cash at stake, that is a big if.

Last year the same awful problem, an embarrassing overabundance of the ready, cropped up at several other life companies, most significantly Legal & General. In a landmark case, the insurer went to the Department of Trade and Industry for a ruling on what to do with surpluses on its with-profits fund.

The L&G was nervously eyeing Allianz, the German insurer that was supposed, according to rumours of the time, to be considering a takeover. There was good reason to keep shareholders sweet, by slipping some of the cash to them in higher dividends rather than using it to boost bonuses for policyholders, or even keeping it in reserves against a rainy day or a tumble on the stock market. Another day, another rumour: L&G now is supposed to be on NatWest's hit-list.

There emerged at L&G a champion of the policyholders, in the form of Sir John Nott, formerly the microphone-throating defence secretary, now chairman of the food combine

Hilldown Holdings and a one-time head of Lazard Brothers. Sir John had two of the insurer's policies and thought, quite reasonably, that policyholders who had put their cash in its hands to invest with profits should keep the same, or at least most of it.

It is hard to disagree with him. What is being argued about is the extent that investments whose value has expanded beyond what is required to provide for the "reasonable expectations" of their owners should stay with the same. But a life policy is not like a bet on the 4.45 at Sandown; it is not a fixed payout but the result of decades of investment.

The DTI took to a clear 90:10 split that gave shareholders the smallest slice, following earlier precedent. The situation is complicated because the exact source of the L&G surplus and the Prudential's "orphan assets" is different, and the company would seem to have a better claim. The principle is the same.

The Pru's Peter Davis will not speculate over what the assets are worth, nor where they should end up. This is because he has

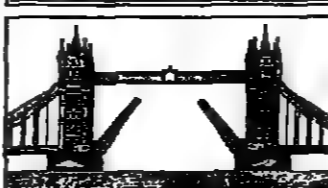
his own designs on what cash comes the Pru's way. The company, like anyone else in financial services with enough clout, is considering a UK life insurer, and some talks have already taken place.

If the best analysts' estimates about the value of the orphan assets are correct, and if the Pru is required to settle for 10 per cent, then this offers £500 million towards any such purchase. Alternatively, it can be used to enhance dividends to shareholders. Either way, everybody gains — including the policyholders whose funds were invested in the first place.

### Job uncertainty, profits certainty

IF EUROPE does eventually manage to export a 48-hour working week to Britain, this will only accelerate the move towards so-called "flexible employment", and part-time or contract workers. The losers will be full-timers, forced into less secure or worse-paid jobs; but this is no bad news for those companies providing

### PENNINGTON



the new breed of workers. In the States, despite signs of economic growth, the downsizing has not stopped and job losses among middle managers continue. Corporate America is turning more and more towards temporary staff, both clerical and further up the management chain, even up to lawyers and accountants. As a result, companies such as Olsen and Manpower, which both came out with good fourth-quarter figures recently, have seen their shares rise by as much as a fifth over the past year.

The employment sector in Britain has been under its own shadow: Blue Arrow and the fall-out from over-enthusiastic expansion that put a hiatus in a

few City careers along with that of its founder, Tony Berry.

Most employment agencies now tend to operate under the umbrella of rather larger people-oriented businesses, such as Hays, whose own business specialising in professionals reported profits up by a third last week, or bid-stricken BET. There are a few freestanders — USM-quoted Select Appointments for one, a firm now back into the black after its own traumas, or Reed Executive.

Traditionally, part-time hirings increase during recession, while recovery spurs the employment of more full-timers. This time out of recession the pattern has not been repeated, employers even in Britain expanding by hiring disposable part-timers, so saving on employment costs and expensive redundancy payments if it all goes wrong again.

Meanwhile, continental businesses already locked into the social chapter and even more rigid job laws have their own compelling reasons to turn to non-permanent staff. The result must be further consolidation

within a small industry that is still fragmented, and further growth all round. But do mind out for the next Blue Arrow.

### Après le déluge at Cordiant

ONE would have thought the best creative minds at Cordiant, né Saatchi & Saatchi, could have thought of a better word for last year than watershed. It was more like Niagara Falls, and Cordiant went over it in a barrel.

The result was the kitchen sink job that was Cordiant's 1995 figures, and a keenness to draw a lead-lined fire curtain over the past. Yet the company exited the year in reasonable state, with revenues up 2.1 per cent, despite the loss of BA, Mars, Dixons and the rest, and trading margins that actually improved from 5.7 per cent in 1994, before the departure of the Saatchi brothers and their entourage.

Cordiant is now also debt-free, thanks to the £133 million its shareholders put up late last year. The share price looks wedged above a pound, and

there is the promise of a dividend payment this year that even if only nominal will help market sentiment.

The board, led by the new chief executive Bob Seelert, has pledged to get to 10 per cent margins by 1998. If the company matches the 8 per cent or so annual growth in advertising revenues being forecast by media pundits such as Zenith, then profits of £60 million are achievable by next year, the sort of level that would justify, on any normal multiple, the current share price. That would put the final seal on Cordiant's return to respectability.

### Down to brass tax

IF THE British public were to invest, in total, £100 million in the National Lottery, and were to reinvest the winnings for 12 weeks, how much would be left? Just £28,171, says Tim Congdon, writing in the journal of the Institute of Economic Affairs. He calls, probably tongue in cheek, for the lottery to be taken to the Serious Fraud Office, or at least the Securities and Futures Authority as a mis-sold investment. At the end of the day, says Mr Congdon, the lottery is "disguised taxation". Yet should the IEA, like all good free marketeers, not be in favour of indirect, nay voluntary taxation?

## Williams to expand its global empire

BY ALASDAIR MURRAY

WILLIAMS HOLDINGS, the diversified industrial company, said yesterday that it is aiming to expand its global presence through a series of acquisitions in its core fire protection, security and building products divisions.

Roger Carr, chief executive, said: "We are considering acquisitions for all of our key areas, and believe that there are plenty of opportunities for expansion."

Mr Carr also predicted a less gloomy future for its building products division, saying that while the market would initially remain weak in Europe, the outlook in the United States is improving. He added that demand for fire protection and security products remains firm.

Williams unveiled a 14 per cent rise in full-year profits to £228 million boosted by a strong performance from its fire protection division, and a £9.1 million exceptional profit

from the flotation of its engineering subsidiary Cortworth. Overall, turnover grew 14.7 per cent to £1.6 billion, while the total dividend was increased 5.6 per cent to 14.25p a share.

But the shares fell 6p to 325p as the market remained worried by the poor housing market in the UK. The fire protection division increased profits 29 per cent to £76 million while the security businesses, including Yale, the lock manufacturer, increased profits 6 per cent to £37.6 million. But the building products division suffered from the weak US and UK housing markets and profits dropped 4 per cent to £120 million.

Capital expenditure was increased by 32 per cent to £51.5 million while gearing was 18.7 per cent. A final dividend of 8.75p (8.25p) is payable on May 15.

Tempos, page 28

### Costs rise takes toll of Delta

BY PHILIP PANGALOS

SHARPLY higher raw material costs and margin erosion in competitive UK conditions combined with restructuring costs to take a toll on full-year profits at Delta, the electric cables to engineering group.

An £11 million restructuring charge in its cables division, involving about 200 job losses, and higher interest costs cut Delta's pre-tax profits to £53.1 million (£65.1 million) in the year to December 30. Delta's cables business has been hit by oversupply and competitive trading conditions, compounded by higher raw material costs and depressed conditions.

Group turnover advanced 13 per cent to £1.02 billion. The total dividend is 18.9p (15.5p), boosted by a foreign income dividend of 14.4p (11.2p). Earnings fell to 20p (27.7p) a share.

Delta plans to acquire the Southeastern Galvanizing Division of Reeves Corporation, of Florida, for \$9.7 million.

### Thorntons issues new alert

BY SARAH BAGNALL

THORNTONS, the chocolate maker and retailer, has issued its second profits warning in four months, blaming falling sales and the cost of its store refurbishment programme.

The shares fell 6p, to 135p. Roger Palford, the new chief executive, said: "We expect to break even at the operating-profit level in the second half, and, as a result, the full-year result will be significantly below last year's £10.2 million of operating profit before exceptional items."

As a result, Thorntons is expected to report a full-year operating profit of £7.6 million. The refurbishment programme is forecast to cost £900,000.

Thorntons saw pre-tax profits fall from £9.6 million to £7.6 million in the 28 weeks to January 6. Sales rose slightly to £59.2 million. The dividend, due on April 30, is held at 1.5p. The group said that it intended to maintain the final payment.

## Wolseley shares slip after profit warning

BY CARL MORTSHED

SHARES in Wolseley, the builders' merchant, slipped 12p, to 465p, after the company said that full-year profits will be below last year's level. Weak demand in the UK and the cost of shutting a manufacturing plant reduced pre-tax profits for the six months to January 31 from £117 million to £111 million.

Jeremy Lancaster, chairman, said that there were signs of an upturn in the housing market, but gave warning that it would arrive too late to affect second-half profits and that the Continent would remain difficult for the full calendar year.

In the year to July 31,

Wolseley made pre-tax profits of £245 million.

Cheap imports from the Far East are hurting the manufacturing division, whose profits fell from £25.5 million to £18.2 million. Wolseley is closing a factory, with the loss of 160 jobs, taking the cost in the half-year results.

Trading profit in UK building goods distribution was static, with little sign of revived consumer confidence, but Plumb Center continued its programme of branch openings.

The interim dividend rises to 3.1p, from 2.95p. Earnings per share were 13.42p (14.21p).

Tempos, page 28

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## End of Wall Street's wishful pessimism

Almost anyone who has slept in a feather bed (still to be found in some Alpine retreats) has had the same feeling. Warm, deep sleep, then the sun rises. A friend, eager to get started, rudely pulls off the eiderdown, and for a moment the world seems a cold and threatening place, but not for long.

That was Wall Street last Friday. For months, the market has been luxuriating in softness — sluggish recovery, no cold inflationary draughts, falling interest rates, and lots of idle money. At any hint of brightness that might disturb its slumber, it has hidden its head under the pillows. Then the Bureau of Labor Statistics whipped off the covers. Brrr! But now, the day does look rather jolly.

Yet there was really no excuse for being so shocked. First, the payroll figure — a rise of 705,000 — was not as startling as it looked. Adjust for the cold-weather layoffs of January, and we get an underlying rise of 268,000 a month for January and February

together, not the soft feathered scenario, but perfectly consistent with most of the other March figures. The month opened with car and truck sales sharply ahead of expectations, followed by consumer credit and M2 both some \$4 billion above advance guesses. Personal income growth, department store sales, factory orders and unemployment claims have all told the same story.

In terms of activity, this adds up to solid recovery. Indeed, the evidence was clear to the perceptive long before March. It is three months to the day since this column reported a warning (or rather a promise) from Bob Bruse, of Nikko in New York, who had been sounding the same wake-up call for three months before that.

He argued forcefully that the weak monthly figures that had just appeared were misleading. Stand back a little, look at the three-month and six-month

trends, and the picture changed to one of vigorous underlying recovery, led by investment, housing and factory orders. The March announcements simply extend those trends. Our own warning against paying attention to isolated monthly figures stands, too, especially after a US government shutdown, and the ensuing disruption.

To be fair, dealers have proved more alert than most of their economic analysts. While the economic consensus was stuck at "soft landing", or even warning of a new recession, prices were responding to reality.

A few months ago, the bond yield curves suggested a whole series of further interest rate cuts; by ten days ago, they looked only for a final quarter-point cut; their disappointment, and



ANTHONY HARRIS

their reaction, has been moderate, and only the consensus analysts are left looking really foolish. Now, of course, the question is different: no longer "When can we expect the next cut?" but "When will the Fed start raising rates again?"

European central bankers, who appear to believe that above-trend growth, regardless of context, always means potential inflation, would allow little time to wonder. Figures like those that have appeared in the US this month would call for an immediate crack of the whip. The Fed, by contrast, is concerned to check inflation, not growth. The regional reserve banks constantly check local trends and have been reporting underlying strength for some time. At headquarters, a large economic staff works full time to

measure such things as the growth of productive capacity (the subject here only of lump guesstimates), possible errors in the inflation numbers, and labour market behaviour. Most of these soundings suggest that the US economy is still well clear of shoal water. The US investment boom (which has no echo here, alas) has raised capacity faster than output, according to the Fed's index; and Alan Greenspan also believes that modern computer-based management techniques make it safe to get nearer to the limits of potential. He has also suggested that the official consumer price index figures overstate inflation, perhaps by more than a full percentage point, because they make little allowance for quality improvements. The purchasing manager survey still shows soft input prices, and in the housing market, which has seen one of the strongest volume recoveries, prices are

actually falling, thanks to an over-ambitious rate of housing starts.

Indeed, the only area at which inflation worries can at the moment point a shaking finger is the labour market. The current unemployment rate, 5.5 per cent, is a full point below what was until recently regarded as the safe limit; and even if the announced February employment bounce is revised downwards (seen as likely), unemployment is probably still trending down. But in spite of these figures, and a seemingly alarming 3.5 per cent jump in unit labour costs (because employment tends to rise ahead of output), the Fed is apparently waiting to see.

Has job insecurity radically changed bargaining behaviour? Does third-world competition, which checks manufacturing costs, also restrain behaviour in sheltered markets such as the service sector? The US, now the world's growth laboratory, will be the first to discover how these questions are answered in a deregulated economy. But even if the answers are favourable, would they be the same in Europe?

### THE TIMES



### CITY DIARY

#### On the fast track from Dublin

BRIAN WILSON, the genial banker who served 21 years with Allied Irish Bank, rising to be a managing director in Dublin, is enjoying the luck of the Irish. Wilson, 50, joined the World Bank in May as a senior adviser, was soon promoted to director status, and yesterday was further promoted to vice-president of financial policy and institutional strategy. His fast track is part of World Bank president Jim Wolfensohn's determination to make the august body as international as possible. And there are still three days to go to St Patrick's Day.

#### Off target

LORD Archer of Weston-super-Mare was beaten by a back R. Esquire magazine's "Get rich quick challenge". Six men were given £500 and a week to see how much they could make with it. Step forward Jeff Randall, soon to quit the world of PR to return to journalism, who finished £590 up, leaving Lord Archer in second place clutching £460. Part-time punter Randall made his money on the golf course and in the casino. Lord Archer made his money buying and selling a picture, donating his winnings to the British Red Cross. Losing wasn't easy for Lord Archer. "It's he's so good, then why isn't he a millionaire?" he jested.



Archer: sold picture

#### Soft centre?

MORE familiar with hole punches than violet creams, Roger Paffard, who recently left office suppliers Staples to be group chief executive at Thornton's, the confectioner, insisted on spending his first week on the shop floor. Paffard's stint at a branch in Derby fell during the busy run-up to Valentine's Day. "The highlight of my week was trying and failing to ice messages on Valentine's cakes," he admits. "Some of them were very funny and probably illegal."

#### Swap option

THE Merrill-go-round between staff at the Thundering Herd and Deutsche Morgan Grenfell span again yesterday as corporate financiers Simon MacKenzie-Smith and Bob Wigley said they were joining Merrill Lynch. Meanwhile, Deutsche Morgan Grenfell said it was taking Merrill's John Winter from its Frankfurt office to head its debt capital markets business in London, reporting to Grant Kvalheim and Hans-Werner Voigt.

MEANWHILE, ABN-Amro Hoare Govett is "delighted" to announce that as of June, the seven-strong BZW investment trust team will join its camp. Co-heads of the team will be Andrzej Sobczak and Roderick Crawford, whose colleagues helped to bring it to market.

COLIN CAMPBELL

## Stores pressed to keep open at all costs

Sarah Bagnall says landlords are trying to tie down their retail tenants



Shopping mall: "The departure of an anchor tenant like Marks & Spencer can drastically affect the revenues of other retailers"

There has never been much love lost between Britain's landlords and their commercial tenants. Each has exploited every opportunity to gain the upper hand in a bid to strike the best deal possible, with their resulting successes dictated by the prevailing balance of power between the two parties.

In the 1960s the landlords were firmly in the driving seat but the rise of the shopping centre — in and out of town — has helped to propel the tenants into a position of power. As a result of the glut of space, tenants have been able to win a string of concessions, such as rent-free periods and lease breaks. But landlords are beginning to fight back.

Clauses hitherto ignored are now starting to be enforced as the Royal Bank of Scotland and Safeway are discovering to their cost. The clauses in question are the so-called "keep-open" covenants included in many lease agreements, which bind the tenant to remaining open for the entire life of the lease.

These covenants started to appear in leases about 30 years ago but caused little concern for retailers in spite of the fact that they knew they were likely to move on before the lease expired.

Steven Fogel, head of property at Timmus Sainer Dechert, says: "It was always thought during the 1980s that companies would never enforce a keep-open covenant but

would require the tenant to pay damages. It was considered almost tantamount to slavery if they did enforce the covenants."

Retailers are constantly involved in rejigging their property portfolios. The reasons range from the desire to trade from a larger outlet, or move to a better located site, or simply to close down a store that is unprofitable.

Radical changes to company property portfolios have become more common since the start of the 1990s, with rationalisation the name of the game as businesses focus on cost-cutting rather than on expansion.

Another factor is the trend

towards one-stop shopping offering long opening hours and ease of parking. This week Skeneby announced the closure of 160 stores and revealed that it was these changes in shopping habits that had resulted in a mismatch between the location of its stores and potential customers.

David Davies, the company's chairman, says: "The position has been exacerbated by the lack of flexibility in relocating branches in the light of standard 25-year leases entered into during the 1970s and 1980s."

Historically, tenants have managed to negotiate their way out of leases by agreeing to pay the landlord damages

in compensation for loss of rental income over the remaining life of the lease. An alternative solution has been to help to find a replacement tenant.

But landlords are starting to try to enforce the covenants. Ken Wyatt, manager of Safeway's property portfolio, says the supermarket group has ongoing cases in Scotland and in England. In both cases the food retailer wants to close a store but the landlords have taken court action. Often landlords are loath to allow a tenant to quit a store if it is deemed critical to the success of the shopping mall.

"The departure of an anchor tenant, such as Marks & Spencer or a food retailer, will reduce footfall in the area and cause a sharp reduction in revenues for other outlets in the mall," says Mark Bradshaw, assistant director (property) at the British Retail Consortium (BRC).

This situation is not necessarily perceived as bad by all retailers — the smaller ones often support "keep-open" clauses since it means the key magnet store will stay put.

Mr Wyatt says that Safeway is waiting to hear whether it has been granted the right to appeal to the House of Lords against an adverse ruling governing the group's store at the Hillsborough Centre in Sheffield. "This is the first case

in England. It has never happened before. Landlords have always accepted damages. If we lose, the implications will be serious as it could happen to any tenant, large or small, because the law doesn't distinguish between the two," says Mr Wyatt.

Meanwhile, a separate action in Scotland is due to proceed to the Court of Appeal. Ironically, the Co-operative Insurance Society Ltd, the landlord of the Sheffield store, is itself a major leaseholder on the high street.

However, the enforcement of the clauses may cause problems for landlords and tenants alike. Mr Fogel says: "From the landlords' point of

view it may mean that when it comes to rent reviews the tenant has to pay less rent because anyone wanting the lease from the existing tenant would want a discount to reflect the long-term nature of the lease."

Mr Bradshaw agrees: "A landlord will suffer on a rent review if he seeks to impose an onerous keep-open clause. A retailer will be more likely to go to arbitration to argue for a rent review."

The retail consortium knows of many cases where a keep-open clause has enabled retailers to agree a reduced rent or an extra allowance. "As a result landlords may want to be cautious and are likely to decide on a case-by-case basis whether to enforce the clause," he adds.

If legal rulings go in favour of landlords they are not expected to contain their demands purely to the likes of the food retailers. Banks and fast-food retailers are often considered critical to a high street or mall.

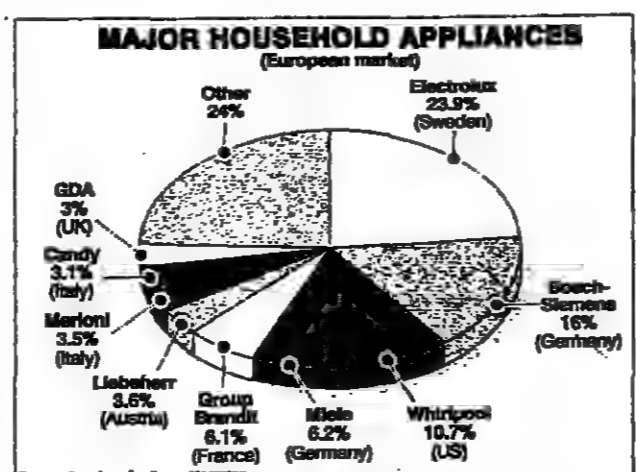
"Banks are now being seen as particularly important in drawing in custom. If someone goes to the cashpoint at lunchtime then they are likely to browse in stores near by on their way back. The same applies to fast-food shops that people go to to get their lunch," says Mr Bradshaw.

This explains the reluctance of Retail Parks Investment to let the Royal Bank of Scotland vacate its location in Glasgow's Sauchiehall Centre for another site 500 yards away on Sauchiehall Street. The Court of Session in Edinburgh accepted Retail Park's argument that the success of the shopping centre depended on having a bank there.

As Mr Fogel says: "You could end up in the ridiculous situation of a retailer competing with itself as it opens a new site in a prime area but has to keep its old store open."

## White goods sector faces a chill wind from the East

Ross Tieman and Sarah Cunningham on a push by Asia



top four on the continent in the manufacture of televisions, video cassette recorders and microwave ovens, though its products often carry others' brand names. One in every four microwave ovens sold in Britain comes from Daewoo's plant in Longwy, France, the biggest in Europe.

The company also has a massive plant in Antrim, Northern Ireland, making video recorders and components, and assembling televisions in France and Poland.

Now the company has established a European headquarters in Frankfurt to manage its five factories and 4,000 European employees, and to mastermind its challenge to the European white goods industry.

Daewoo is expected to announce plans for its first European refrigerator plant within weeks. The \$256 million factory, at Bilbao, Spain,

will produce 200,000 machines a year.

A washing machine plant has already been established in Poland, with a target of 300,000 machines a year. According to JB Chun, managing director of Daewoo Electronics Europe, "Product development in Europe has been very slow. The reason is that the product is bulky and difficult to transport."

Daewoo now expects to build three or four plants producing washing machines and refrigerators designed or modified to meet the needs of particular national markets.

These plants will be supported by a network of component factories. Daewoo expects to spend \$100 million on a plant to produce compressors for refrigerators and air-conditioning units, \$100 million on an industrial motors plant,

and another \$100 million on a factory to make magnetrons for microwave ovens. Britain is considered a promising location for the component factories because its low-cost, and highly flexible labour force combines with the high value-to-weight ratio of components, to overcome the costs of transport. The United Kingdom may also be in the running for factories making washing machines and air-conditioning units for vehicles and a \$1.2 billion factory to make bespoke computer chips for the appliances.

Whether European rivals have fallen behind in the innovation race remains to be seen. Daewoo will face some formidable competition. Poor profitability during the 1980s, and the opening of the European market, triggered a rapid consolidation of white goods manufacture in Europe. Three companies: Electrolux of Sweden, Bosch-Siemens of Germany and Whirlpool of the United States now command half of the European white goods market.

But the most worrying element for European rivals may be the Korean's willingness to sell appliances at little more than cost in order to build its market share.

Daewoo Electronics has set itself a global sales target of \$5.5 billion this year, up a quarter on 1995, with most of the growth coming from Europe and the US. But last year it announced net earnings of just \$60 million on sales of \$4.02 billion — a margin of just 1.5 per cent. Such cut-throat pricing may please consumers, but is likely to put a lot of pressure on the profitability of Europe's existing manufacturers.

### INDUSTRIAL SERVICES

# DELTA

PRELIMINARY RESULTS

	1995	1994
Turnover	1018.5	898.6
Profit before interest	63.4	71.3
Profit before tax	53.1	65.1
Earnings per share	20.0p	27.7p
Dividends per share	18.9p	15.5p

\*Final dividend to be paid as a Foreign Income Dividend (FID)

Copies of the Annual Report & Accounts for the year ended 30th December 1995, from which the above is an extract, are available from 29th March from the Secretary, Delta plc, 1 Kingsway, London WC2B 6XZ. Telephone 0171-416 3533.

**THE TIMES UNCLUST INFORMATION SERVICE**

هكذا من الأصل

## Shares close near low of the day

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1995	High	Low	Company	Price	Change	Yield	P/E
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TEXTILES & APPAREL

TRANSPORT

RETAILERS FOOD

OTHER FINANCIAL

BRITISH FUNDS

SHORTS (under 5 years)

LONGS (over 15 years)

UNLISTED

INDEX-LINKED on projected inflation etc.

MEDIUMS (5 to 15 years)

RETAILERS GENERAL

WATER

ALTERNATIVE INV MARKET

Source: Times

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Figures are in pence unless otherwise stated.

Companies are listed in alphabetical order of their first name.

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Give a European dimension to your career.  
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Candidates must be member state nationals and possess 5 GCSE 'O' levels including English and French plus at least 2 'A' levels (or Scottish or Irish equivalent), a full-time secretarial college course diploma, typing 50 wpm (certified by public examination) and word processing. Aged under 35 years (extended up to 40 years).

In certain cases they must have English mother-tongue level of other European languages useful (e.g. Italian, German, Spanish, Polish, Czech, Slovak, Hungarian, etc.).

Starting salary: £12,881 FF net monthly (single rate), including expatriation allowance, tax & social security.

Application forms (to be returned by 30 April 1996) available with further details from: Human Resources Division, Competition N° 26/96, Council of Europe, 67075 Strasbourg Cedex, France. Would you please attach a self-addressed envelope 23 x 32 cm without stamps.

## Secretaries

## career moves

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A pivotal role for a person who loves to be in the thick of it working for two New Business Directors. You'll be organising presentations and seminars, setting up client meetings, handling all the paperwork, preparing presentations and reports, and being the first point of contact for all enquiries. This is a great opportunity for a motivated, energetic, and ambitious person to join a successful and growing company.

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JUDY FISHER  
ASSOCIATES  
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Recruitment Consultants  
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GROSVENOR  
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Buzzy, busy design company in Mortlake area is looking for a team player - fun role for hard-working, fast-thinking, organised secretary. Plenty of scope for involvement (previous occupant promoted). 45+ wpm typing, WPM, Powerpoint useful, plus a good telephone manner.

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## MULTI-LINGUAL OPPORTUNITIES

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## SUPER SECRETARIES

REPAIR PROPERTY £20,000. Based in stunning office, this position requires a PA to support the Managing Director and to be involved in running the office. The PA will be responsible for managing the company's administrative operations, including organising meetings, handling correspondence, and managing the company's public relations.

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## TEMPTING TIMES

ARCHITECTS & DESIGNERS. Temporary secretaries to work for architects in London. Must have good typing skills, be organised, and have a good knowledge of the building industry. The secretaries will be responsible for managing the company's administrative operations, including organising meetings, handling correspondence, and managing the company's public relations.

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## HERITAGE

The cars must go: two top architects present plans to pedestrianise London's squares



## THEATRE 1

Dawn French and a host of other big names are signed up for a much extended Chichester season



## THE TIMES ARTS

## THEATRE 2

The Shoe Horn Sonata proves to be a moving story of female courage in the prison camps



## TOMORROW

Richard Nixon's exploits come to the big screen, but how fair is Oliver Stone's interpretation?



For too long, London has been in thrall to the car. Marcus Binney reports on plans to reclaim the city for the pedestrian

# These beats are made for walking

Londoners will consider the millennium brouhaha to have been worthwhile if it achieves at least one thing: making the capital a more pleasant place to stroll about in. London has been slower to pedestrianise than almost any great city in Europe. Apart from Carnaby Street and Covent Garden, it is mainly a case of "cars come first".

The one recent exception is Leicester Square, now as handsomely paved in large slabs of granite as the streets of Santiago de Compostela. But walk on a few yards to Piccadilly Circus, and pedestrians are once again treated like cattle, herded behind barriers and forced sideways down the Haymarket to allow motorists to take the corner with their foot on the accelerator.

Two of London's leading architects have a bigger vision. Sir Richard Rogers is campaigning for London's squares and Terry Farrell for the royal parks. Rogers has a plan to pave over the road in front of the National Gallery so that it becomes part of Trafalgar Square. Furthermore, he proposes the construction of cafes and restaurants with a view over the fountains.

He goes further. In his vision, Northumberland Avenue would become London's equivalent to Barcelona's famous Ramblas. It is about the same width; all that needs to be done is to create a broad central pavement, serving as a street market, with the traffic contained in two narrower lanes on either side.

The knee-jerk reaction would be to ask: "What about the traffic? Won't we all be stuck in jams for ever more?" The chairman of the Royal Fine Art Commission, Lord St John of Fawley, went ballistic when the traffic layout in front of Buckingham Palace changed. But within a few weeks it was running as smoothly as ever. The reality is that a new, enlightened generation of traffic engineers is thinking again about the one-way systems that infuriate drivers and pedestrians alike.

Imagine you are on your way to the theatre in the Strand, hurrying along the Mall or up Whitehall. Today you

are swept off in a big detour around Trafalgar Square, fighting your way across traffic going eastwards. Often it is virtual gridlock. Atkins, the traffic consultancy, has a simple solution: make the traffic two-way across the south of the square, shorten everyone's journey and free the rest of the square for pedestrians.

If you still have doubts, listen to Atkins's plans for Aldwych. For years, St Mary-le-Strand, one of London's most delightful Baroque churches, has stood marooned on a traffic island, as buses, taxis and cars fight their way across each other. Atkins would simply make the northern arc of the Aldwych two-way and pave over the south as a new square in front of Somerset House.

Westminster councillors are swallowing hard, but they have already carried out the Atkins improvements in front of Charing Cross station. Traffic lanes have been reduced, and it is easier for pedestrians to cross, but traffic still flows smoothly. Now Atkins is proceeding with the Strand. A wide central reservation is being created, with handsome new lamp-stands, while selected side streets will be closed.

Farrell's plans for the royal parks have the same radical simplicity. London's foremost pedestrian neighbourhood is Hyde Park Corner. Walkers are forced, Farrell says, "along sensory-deprived rat runs". He proposes that pedestrians walking up Constitution Hill should have the red-carpet treatment and take the royal route through Wellington Arch and Decimus Burton's elegant screen into Hyde Park. For the humble pedestrian, as for the Queen in her Rolls-Royce, the traffic would stop.

Farrell would do the same at Regent's Park. As we walked up Regent Street and Portland Place, we would no longer be swept off sideways around the private gardens of Park Crescent and Park Square. We would walk straight through the middle, with new priority crossings over Euston Road. Indeed, Farrell would go further — he wants us to walk down St James's Street, through the palace gate and into the Mall.



The best of both worlds? Richard Rogers would pedestrianise Trafalgar Square up to the National Gallery on the northern side, with two-way traffic to the south

The ring of steel thrown up around the City as a defence against terrorist attack shows that it is possible to make radical shifts in traffic without the capital grinding to a halt. Indeed, with security measures again being strengthened, there is excellent reason to pedestrianise many streets permanently. But George Allan, chairman of the City of London Amenity Trust, thinks the City is still failing to take advantage. "The City has no concept of closing down streets," he says. "It has one of the smallest ratios of open space in the capital. The obvious way to increase it is to close streets except for those on foot. Instead, the City remains the ideological home of the rat run."

"Policy is driven by the senior partner brigade, who think it is a matter of national interest that they can drive from suburban Surrey to the underground car park along any little lane of their choosing."

The City has one of the highest pedestrian flows in Britain, but conditions are wretched. To walk across the City, Allan says, from Fleet Street to Fenchurch Street — no more

than a mile apart — is beyond contemplation, because of the miles of railings and constant fumes.

Subconsciously, people have been put off walking in London by the sheer hassle of waiting at lights and crossings, and by being forced into annoying diversions from their chosen route because traffic comes first. London's priority should be to create a series of pedestrian-first routes criss-crossing the centre.

The architect Sir Colin Stansfield Smith says: "We've converted our major civic spaces into traffic islands. The problem is the traffic engineer and his curb. Without the curb, cars lose priority and are forced to pay greater heed to pedestrians."

Pavements must be widened and traffic lanes reduced, not increased. More of London's one-way systems need to be re-examined. Traffic may move faster going round the houses, but it does not necessarily get there quicker.

Stone paving must be more widely reintroduced. If York stone is not

available, then large granite slabs should be used. Cheap paving does not last. Witness Bedford Square, where every other paving stone is cracked, and the municipal authority has allowed builders to turn expensive new pedestrian space into Portacabin City.

And more thought needs to be given to details. Curbs have been eliminated at almost every pedestrian crossing to make it easier for push-chairs and prams. The result is a bodge. In Milan, the problem has been resolved by forming a beautiful semicircle of sloping stone at every town-centre crossing.

Rogers won a unanimous show of support at the first Evening Standard debate for his proposal to reduce the dominance of traffic in Trafalgar Square and Parliament Square. The question is whether London's politicians have the guts to take these ideas forward at more than a snail's pace.

● A debate on Pavements, Parks and People will be held at Westminster Central Hall tonight (6.30pm). For tickets, ring 0171-332 3770

## LONDON CONCERTS

## Russian soul in all its darkness

BBC SO/Kitaenko Festival Hall

SCHNITTKE's Viola Concerto is perhaps his masterpiece. Happily, it is also one of his most frequently played works, and its outing in the BBC Symphony Orchestra's concert on Friday was the eighth in this country since its premiere here in 1987. Nearly all those performances have been given by its dedicatee Yuri Bashmet — its themes are based on a musical encoding of his surname — but here the solo part was revealed as a solo part.

Her playing, based on dark luminosity of tone, was impressive. Though she may not have found all the tragedy that Bashmet brings to the work, Zimmermann captured its stark eloquence more musically than I had heard before. More than ever, it put in mind the Viola Sonata of Shostakovich, the final work of the composer whose mantle Schnittke seems to have inherited.

Much of the credit for this fine performance belongs to Zimmermann: it was not until the third movement that the conductor, Dmitri Kitaenko, really made his mark on the piece. The

orchestral playing in the dark, disembodied finale was good, but earlier most of the interest had been supplied by the soloist. She was lyrical in the opening movement, and played the manic toccata with machine-gun-like attack and virtuosity.

Shostakovich's most popular symphony, the Fifth, made an apt coupling. As a former chief conductor of the Moscow Philharmonic, Kitaenko must have performed it countless times, and there was a sense of routine here. He gave an exciting, but shallow account, as if playing a piece of Socialist Realism.

Kitaenko was best in the incisive scherzo and the climaxes of the outer movements. The opening was a little soft-grained and lacking in tension, the Largo moment in the finale proved fatal in a work that needs blazing intensity to succeed.

JOHN ALLISON

## Sing out, sisters

Le Mystère des Voix Bulgares Festival Hall

THE recordings of the Bulgarian State Television Female Choir — better known under the more evocative title "Le Mystère des Voix Bulgares" — have been liberally marketed to appeal to a wide range of music lovers. And there can be no doubt about that appeal: the Festival Hall was full to capacity, and with a markedly younger audience than usual at a "straight" concert of classical music.

The choir itself is superb, disciplined down to its collective bows. The virtuoso arrangements of folk music from the distinctive regions of Bulgaria demand such precision: multi-voiced and often highly dissonant textures require absolute accuracy of intonation and complex word-patterning calls for tight ensemble. In all this the Bulgarian singers, under the direction of their artistic director Dora Hristova, excelled. They also sang with utter conviction, although their highly polished approach sometimes lacked spontaneity.

Apart from the distinctive nasal timbre and the reedy vocal quality that results, the most striking feature is the

diversity of musical styles within a single nation's folk traditions. Intense dissonance is often offset by bare fifths or a simple drone; choral-like passages are juxtaposed with highly embellished muezin-style chanting, the soloists capable of seemingly endless roulades. The songs, presented as a cycle on *A Woman's Life* (pace Schumann), were equally varied in theme and tone, from dreamy love songs to rousing dances designed to make a monk forget his vows. It was all terrific, and the audience lapped it up.

Some of the arrangements veered towards the schmaltzy, the jazzy, even barbershop; but for me the most effective and compelling pieces were the simplest, the least sophisticated and truest to their modal structure. It is there that the true sense of mystery lies.

TESS KNIGHTON

### THEATRE: Benedict Nightingale on a moving tale in a Japanese prison camp; and brave ambitions in Sussex

## Saving our Sheila

Some plays that make a conscious grab for your heartstrings make you wince. But John Misto's assault succeeds, for several good reasons. He has clearly done plenty of impassioned yet careful research into the sufferings of his fellow Australians in Japanese prison camps; and his director, Dan Crawford, has cast the formidable Maggie Kirkpatrick alongside Susannah York as a magnificently doughty survivor. Presented with authenticity here, you readily forgive the emotional calculation and the contrivances of plot elsewhere.

Black-and-white photos, keeping you abreast of the fall of Singapore and its aftermath, play on to the wall of a contemporary hotel room, flanked by a television studio. Here have come Kirkpatrick's Bridie, an Aussie nurse in 1942, and York's Sheila, the English girl she helped to keep alive in a series of awful internment camps. In between perching on chairs to tell a pushy interviewer their story, the two ageing women awkwardly engineer what seems to be their own first meeting in 50 years. The question you are meant to ask is this: why did people so close drift so far apart that not as much as a postcard has winged from Melbourne to Fremantle, where they respectively live?

Misto's answer to that may strike you as owing less to truth than to high drama.



Susannah York as Sheila and Maggie Kirkpatrick as Bridie

The Shoe Horn Sonata King's Head, N1

When Bridie caught cerebral malaria, Sheila bought her quinine by offering her body to a sadistic guard, pretending afterwards that she simply bartered Bridie's prize possession, a shoe horn, for the life-saving drug. Rather than break this shocking secret to her friend, Sheila then made an embarrassed English exit from her life. But is it, you ask, credible that two women who had looked human evil in the eyes every day for three years would react so conventionally to an act of unconventional generosity, even in 1945?

If you share my doubt, you will find a hole near the plot's centre and, as a result, something spurious about the play's upbeat denouement. There are other worries too. Though I am English and biased, the constant fun at the expense of upright Poms ventures too near cliché for my taste. The sort of colonial who thinks that the proper response to disaster is to say

"Chin up", while keeping away from Catholics, would never pass muster in a Maugham short story.

Yet after the idiocies of Singapore, I think we British deserve the joke about the general who says of the Trojan horse: "How spiffing, chaps, wheel it in." More importantly, the details of camp life are all too plausible: the hunger, the scrambling around with fingers to dig graves, the saintliness, the black laughter that erupts when the commandant conveys a message from the Australian prime minister to "keep smiling", the joy given by the choir that learns to hum Ravel. And surely Misto did not invent the incident in which dying women are forced to climb a hill to hear Japanese bandmen play *The Blue Danube*.

Sensitive and feeling though she is, York seems a bit tentative as yet, but Fitzpatrick, who created the role of Bridie in Sydney, unerringly radiates bluff, unselfconscious goodness. As you follow her tale of quiet triumph over impossible odds, you cannot quibble too much at subsidiary improbabilities. You are moved; and that is that.

## A coup for Chichester

Ever since Laurence Olivier's National Theatre Company left its temporary home in Chichester 30 years ago, the cognoscenti have tended to see the place as Mrs Tiggywinkle's cottage recast in concrete. That has sometimes been their folly, for the Festival Theatre has regularly proved its power to attract top performers: Donald Sinden in Ibsen's *Enemy of the People*; Eileen Atkins as Elizabeth I in *Vivat, Vivat Regina!*; Alan Bates as the gay Habsburg officer in Osborne's *Patriot for Me*, among a good many others.

All the same, the slur is not wholly unearned. Traditionalist audiences and the lack of so much as a penny in subsidy have combined to give a cautious, cathedral-close feel to the theatre's programming. Any director who tried anything recherché or financially ambitious in Schloss Tiggywinkle soon learnt his lesson, as Michael Rudman did by losing his job four years ago.

But the arrival of Duncan Weldon and Derek Jacobi as co-directors last year brought changes that are to accelerate this year. In 1995 Lauren Bacall came from her Hollywood paradise with a performance of the zillionaire in Durrenmatt's *Visit* that extended the normal summer season deep into October. In 1996 Weldon, who has assumed sole control, with Jacobi as associate director, is getting still closer to his target, which is to take Chichester into the post-Tiggywinkle era and run high-powered rep there all year round.

Try these for artistic size. Alan Bates in Simon Gray's new play, a sequel to *Otherwise Engaged* called *Simply*

The Festival Theatre has cast off its reputation for Tiggywinkle cosiness

*Disconnected*. Maggie Smith in Alan Bennett's production of his own *Talking Heads*. Derek Jacobi, Alec McCowen and the enchanting Frances Barber in Chekhov's *Vanya*. Harriet Walter as Hedda Gabler. Patricia Routledge in a play about Beatrix Potter by Patrick Gardard. Ronald Harwood's *Handyman*, a follow-up to his *Taking Sides* that involves an elderly Nazi criminal discovered working pacifically in Britain. And Alan Ayckbourn's latest, a comedy-thriller called *It Could Be Any One of Us*.

And that's only what will run from May to October in Chichester's studio-theatre, the Minerva. Proceedings on the main stage begin on April 29 with Congreve's *Love for Love*, starring Jacobi as the half-witted beau Tattle, and continue with the version of Jane Austen's *Mansfield Park* adapted by Willis Hall and directed by Michael Rudman, that was a huge success in Sheffield recently.

Add Peter Ustinov as the rumpled title-character in his own *Beethoven's Tenth*, Leo McKern and Dawn French in Priestley's *When We Are Married*, and Bates as an archetypal Russian loser in Turgenev's seldom-seen *Poor Gentleman*, here renamed *Fortune's Fool*

—and, no, the year's festivities are still not complete.

Weldon is still negotiating with the actors he wants to perform in the next five main-stage offerings: *Much Ado*, Coward's *Hay Fever*, Lilian Hellman's *Little Foxes*, Maugham's *Our Betters*, Bernard Miles's *Lock Up Your Daughters*. But some enticing names are in prospect for the remainder of a season that will now stretch into December, after which the theatre closes for a £300,000 refit. Who knows, before long there may be a permanent company in place for the summer season, as in Olivier's day, while *ad hoc* casting prevails at other times.

One of Weldon's hopes is to make the theatre more self-sufficient, less reliant on whatever tours turn up during winter months that currently lose it money. Another is to get lottery funds for a £12 million redevelopment that will bring the site a movie theatre, rehearsal rooms, offices, new restaurants, perhaps even a television studio.

Since the Arts Council remains aloof — a cause of bitterness to Weldon — a couple of big flops could spoil everything. Budgets are dauntingly tight. But last year the theatre played to 80 per cent audiences, sold 22 million seats, made £120,000 clear profit on a turnover of £3.5 million, and, thanks to Weldon's position as a London impresario, transferred *Taking Sides*, *Hobson's Choice* and *Pinter's Hot House* to the West End. It does not sound, does it, as if Mrs Tiggywinkle is riding high.



## VISUAL ART

Recycling in all its glory: the Craft Council sets out to prove that waste can be beautiful

## YOUNG ARTS

How the Oily Cart Company reached out to children with profound learning problems

## THE TIMES ARTS

## JAZZ

From elegant jams to Bartók: Chick Corea reveals his eclectic virtuosity at the Barbican

## OFFER

Special prices on Sheila Hancock in Nigel Williams's new play: see the Theatre Club panel

## The ultimate in throwaway lines

Teabag handbags, a cloak made of cans: craft's latest movement is towards recycling. Alison Beckett reports

Recycling is the new buzzword in the craft world. Old tea bags, empty bottles, beer cans and chewed toothbrushes have been commandeered for an exhibition held by the Craft Council to prove that waste can be beautiful.

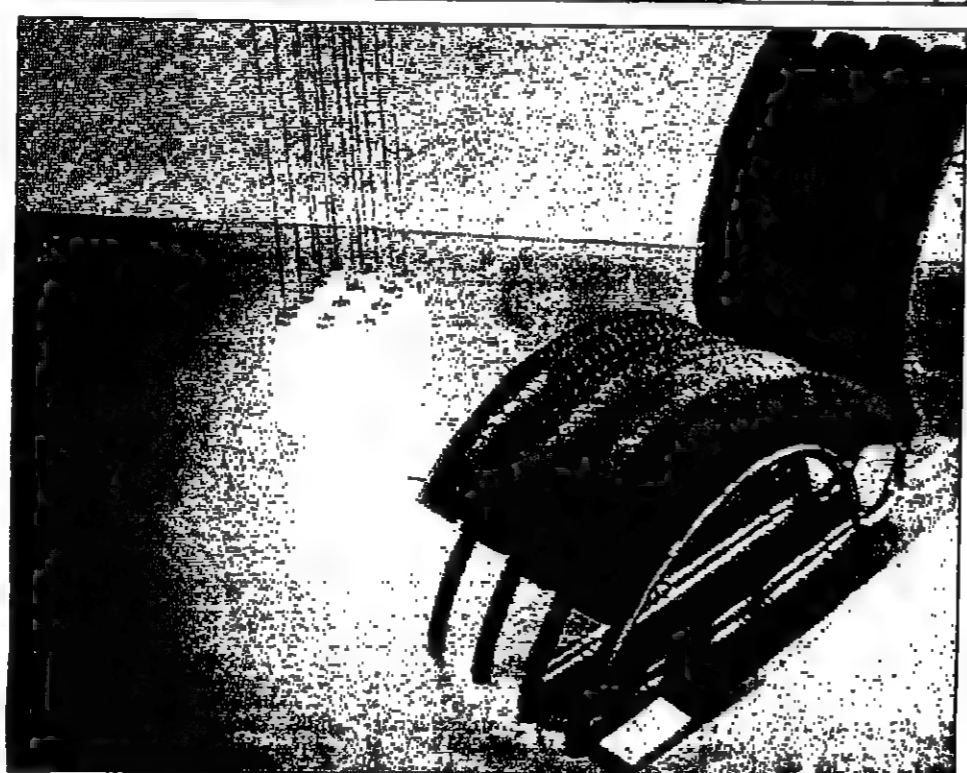
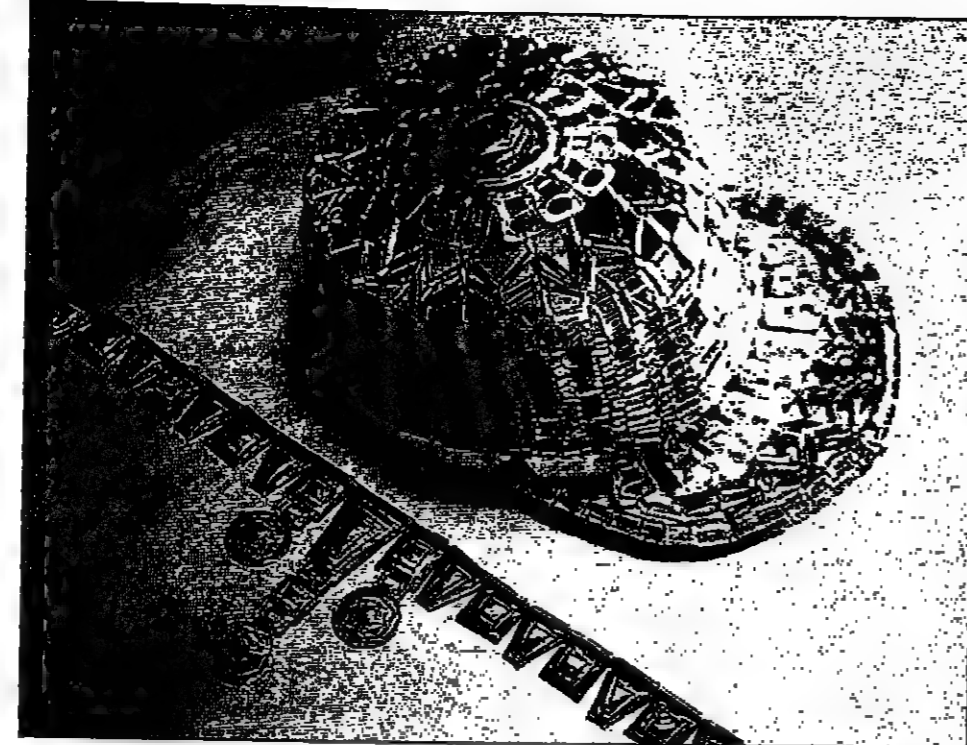
The idea of using everyday objects in an alternative way as a work of art has been growing since Marcel Duchamp exhibited a readymade bottle rack in 1913, and later a urinal. Now ecological concerns (including a European Union Directive that 50 per cent of domestic waste be recycled by the year 2000) and poverty among artist-craftsmen has given the movement fresh impetus.

The exhibition features the work of 27 designers whose inspiration comes mostly from the home. Clare Goddard realised teabags could make more than a quick cuppa after spotting the marbling effect on one that had dried out. So she began turning them into elegant handbags.

The effect, she discovered, varies according to the paper used, the amount of leaves, the size of the bag and whether it has been hung, ironed or left sweating in a tin.

Most items are intended to be useful, especially lighting. But how Deborah Thomas managed to assemble her Northern Fleet Chandelier without hospitalisation is a mystery. The chandelier, worthy of a fairytale ballroom, is composed of thousands of shards of glass collected from overflowing bottle banks, smashed by Thomas and wired back together again.

Recycling whole objects is simpler but more bizarre, like Michael Marriott's Juicy Lucy glass wall light, which used to be a lemon squeezer. Sophie Chandler saved attractive blue bottles of fizzy water for her DIY Chandelier and Tejo Remy a dozen empty milk bottles for a hanging lamp. Remy has dubbed this style Robinson Crusoe — designing your own paradise with what



Proving that one man's rubbish fodder is another's potentially attractive raw material: (clockwise from top left) cap and geometric necklace made from lager cans by Val Hunt; a fruit bowl made from beer cans by Lois Walpole; a hanging lamp made from blue glass bottles by Sophie Chandler; a tyre chair and milk bottle light by Tejo Remy

ever is available — and it is curiously successful.

The ingenious re-use of aluminium drinking cans includes Jeremy Dent's Can-Slab Bench, made by crushing cans together to form new building material. Val Hunt's Cap and Geometric Necklace began as Guinness and lager cans, while Joanne Tinker amassed a hoard of brightly coloured drinks cans to cut into more than 2,500

pieces and create a shimmering cloak.

Jessica Briggs's jewelled necklaces turn out to be cleverly juxtaposed glass buttons, a refined version of her favourite childhood game — delving into a button tin for treasure. More surprisingly, the chief component of goldsmith Brigitte Turba's bracelets are toothbrushes, which she cuts and polishes to look like precious stones.

The absence of fear of expensive failure encourages bold experiment. The Spring Planting Chair devised by Kristy Wyatt Smith, who trained as an illustrator, is an amusingly naive throne with moving figures. But its construction is ingenious: it is made out of discarded wood from skips and metal shapes cut from tins thrown out with the rubbish by restaurateurs. Lucy Casson is similarly

daring with her sculpture Fierce Animals — metal beasts formed out of lighter fuel cans, all leaping out of a vase on stems like Bird of Paradise flowers, and relying on their exotic impact to disguise the fact that the container is really a battered gas water heater. One of the oldest forms of recycling is quilting. Traditionally, patchwork quilts were made from scraps of material rescued from worn-

out garments and sewn together to form intricate patterns or pictures. Michele Walker has brought about a more contemporary look, albeit as attractive wall hangings rather than bedspreads, by working with growbags, frozen food packaging, photocopies and dustbin liners (already recycled, naturally). But the biggest challenge to preconception is Thomas Dux-

on's Driving Seat, which he has produced in a small edition. In their former incarnation the seats were traffic bollards, made of a type of plastic which has no scrap value at all. But then, maybe it is possible to change base metal into gold.

Recycling is at the Crafts Council, 44a Pentonville Road, Islington, London N1 0DT. Tel 0171-278 7700. until April 21

## A joy for ever

IN 1974, the American pianist Chick Corea defined his artistic aims thus: "To incorporate the discipline and beauty of the symphony orchestra and classical composers — the subtlety and beauty of harmony, melody and form — with the looseness and rhythmic dancing quality of jazz and more folkly musics."

The Acoustic Quartet, the band with which Corea is currently touring, is certainly both disciplined and loose. Underpinning the leader's lush, fluent piano are the supple but assertive drums of Gary Novak and the full-bodied bass of James Genus, while front-line solo duties are shared with a fellow Miles

## Chick Corea Barbican

Davis alumnus, saxophonist Bob Berg.

For the concert's first half, Corea promised to provide "a varied programme which evolved out of jamming", and after tripping lightly through his own *Humpy Dumpty*, a neat but lively theme with a surprisingly hard edge, he proceeded to do just that. *Monty's Mood* was suitably chunky, packed with both his composer's trademarks — oddly displaced accents, startling juxtapositions of clutter and space — and its interpreter's: rippling runs imbued with an almost playful lyricism. *That Old Feeling* featured another intriguing arrangement, its melody carried alternately by tenor and bass. Corea's sparkling solo work beautifully complemented by Novak's brisk drumming, Berg's tenor swirling through the familiar changes.

It was two Bartók Bagatelles, however, which most closely conformed with Corea's artistic aims. To the pieces' dignity, grace and harmonic subtlety, the Acoustic Band brought not only a stately swing but also — through Berg — an affecting, keening quality faintly reminiscent of Jan Garbarek. Even Corea's own compositions could not quite match the Bartók, either for delicacy or intensity. On this occasion, thanks to a superb band as much as to his own musical eloquence, Corea's object of beauty was attained.

CHRIS PARKER

Hilary Finch on a company that reaches children with learning difficulties

## Tickled pink and perky

What is *Tickled Pink*? It is a state of being. It can be a swing in a hammock, a waft of air from a fan or down the bore of a clarinet; the scent of a rose petal, or the touch of velvet. But it has to be pink. It's a drama, but there's no story. Only characters: Rose, who likes to touch; Blush, who is obsessed by smell; Blossom, who sings, and Pinky, who is, well, obsessed by the colour pink.

This is theatre by, with and for children with profound and multiple learning difficulties (PMLD); and it started with Punch and Judy. Dave Bennett was the musician out front and Tim Webb the puppeteer. Webb had been running a "rugged and robust street show"; then it struck him that this wasn't really what four-year-old children wanted for their birthday parties. He spent £40 on setting up a show about a tree and all the animals who lived in it, and before long it was hot property in nurseries and playgroups. He called his company Oily Cart after the Renault van in which the props were packed. For 15 years, Oily Cart has been touring three new shows a year.

For the past seven years one of the shows has been for children with severe learning difficulties. "Our challenge has always been to identify a particular audience and work on what would interest and stimulate them," Webb says. "And I saw in my travels that certain barriers were not yet being broken through..." *Tickled Pink* is the first ever show for children with PMLD. The new need — and the identifying label — came



Oily Cart "believe the human element is all-important"

about as an increasing number of education authorities integrated more able students into mainstream schools, creating a narrowing ability range in special schools.

It all meant another challenge for Oily Cart. Two factors emerged in Webb's research: "We believe the human element is all-important in what must be an entirely interactive approach. Where it's not appropriate for the 'drama' to be plotted, character is central. So we stay in character throughout. And each one is clearly delineated through the senses. It's a visceral, rather than a narrative approach, if you like. Each of our characters is sense-obsessed."

Oily Cart sets up a pavilion of hanging tents and marquees, enclosed and secure spaces saturated in colour (hollyhock pink, candy-floss pink, penumina and flamingo pink), and heaped with soft,



scented pillows and rugs. Outside, from three "parasols of pleasure", dangle any number of bells, gongs and cymbals, all wrapped and plaited in sensuous fabrics. And all pink. The four members of Webb's team look like travellers on the Silk Road, merchants from Samarkand. With rings on their fingers and bells on their toes, they ensure that music accompanies the children wherever they go. They wait for the school buses to arrive; play the stu-

dents into school; encourage them to touch and sound out the parasols. It may be only the brush of a velvet-covered bell against a cheek; it could, in the case of a more able child, be a matter of preventing a meal being eaten out of a Chinese gong bowl. Then the students are led into the silken tents, rocked in hammocks, fanned by pink punkah wallahs as a distant marimba sounds. Singing is individually focused: names and senses are identified and sung out.

Five-year-old Ahmed, who has been running round all morning, attempting to destroy everything in sight, is suddenly pacified. He has responded to the repeated verbal cue of a clarinet; he is, for once, in control, rather than being controlled. Tina, whose autistic tendencies cause her to look at another person only reluctantly and sideways on, is beaming full in the face of Blossom and the breeze of her pink fan.

Sarah Melman, senior teacher at Fulham's Jack Tizard School, has been working with children with severe learning difficulties for 19 years. She admits that she had never before met a theatre group who could meet the needs of every child in her school, from three to 19 years old. "It's something to do with the combination of people in their team, their endless research, their strong focus on colour, and the way in which they give the children time to respond," she says. "Oily Cart has touched children for whom I'd begun to think there might be no way through."

Oily Cart, 309 Welsbach House, The Business Village, Broomhill Road, London SW18 4JQ (0181-877 0743)

## Nationalism echoes country sounds

This is the third of our complimentary CDs, brought to you by The Times, in association with Classics Direct. Nationalism began to establish itself as a movement about the middle of the 19th century when composers became eager for their music to embody elements that proclaimed its nationality. They incorporated folk melodies or dancing rhythms in work that asserted national traditions. Dvorak was one of the earliest composers of such music and his *Slavonic Dances* as well as Berwald's *Singuliere* and Franck's symphony in D minor are due to be released in this country by The Royal Philharmonic later this year, so Times readers can hear them first.

## NATIONALISM TRACK LISTING

1. Franck symphony in D minor. Conductor: Ramond Leppard (19:19); 2. Dvorak symphony No 9 in E minor *New World*. Conductor: Paavo Jarvi (11:12); 3. Dvorak *Slavonic Dances*. Conductor: Douglas Bostock (7:27); 4. Berwald *Singuliere* No 3 in C major *Singuliere*. Conductor: Ivor Bolton (9:38); 5. Grieg piano concerto in A minor. Conductor: James Judd, piano Ronan O'Hara (10:21); 6. Grieg *Peer Gynt* suite No 1 *In the Hall of the Mountain King*. Conductor: Mark Ermler (2:25). The CD has a total playing time of 60:21. Offer closes April 8, 1996 and is subject to availability.

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 ●TELEVISION producer Ray Cooney is not having a good day. The star guest for his talk show has pulled out, his hen takes up residence in every pub he passes, and his assistant calls her mother 30 times a day. What happens next is the subject of *Harry and Me*, starring Ron Cook, Sheila Hancock and Dudley Sutton, and written by Nigel Williams, author of *Class Enemy* and *Sugar and Spice*. Theatre Club members can save 25 per cent on top-priced tickets (normally £15, £18). Tel 0171-730 1745 to book

**Royal Opera House**  
 April 6  
 ●TICKETS £25 (normally £36) — £16.50 for children under 18 (normally £18) — to see the 28th performance of the Royal Ballet's production of *Adolphe*, staged by Peter Wright, and with designs by John F. Macfarlane. This production captures both the rustic and the supernatural aspects of this well-loved Romantic work. Tel 0171-304 4000

**CAMBRIDGE**  
 May 3-5  
 ●THERE are still a few places left for the Theatre Club's opera weekend in Cambridge. The price — £192 per person — includes two nights' dinner, bed and breakfast accommodation, tickets to English Touring Opera's performances of *Rigoletto* and *Werther* — and a punt on the river. For more details and to book, tel 01223 351241

## THE TIMES THEATRE CLUB

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Wakefield, Theatre Royal & Opera House, May 3, 4. Normally £4.50 to £8.50. Tel 01924 366556

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Rachel Kelly finds out how the rising number of divorces is bolstering certain sectors of the slack housing market

# One sale, two purchases

The Prince and Princess of Wales's decision this month to agree to divorce has caused the grander estate agents to salivate. Divorce drives the property market. When the rich divorce, they usually sell the family home, divide the proceeds and set up two new homes. That means one sale, and two purchases: three welcome commissions in a slack market.

Of course, the Wales's case is exceptional. Kensington Palace is not going to be flogged, nor is the Prince of Wales likely to buy a new house. But the Princess might. Unless she buys privately, some agent somewhere will make a handsome commission.

In a market in which the number of annual sales has fallen from two million to one million a year, according to Central Statistical Office figures, divorce guarantees valuable business. The happily married decide to stay put rather than to sell at a loss.

The numbers are going estate agents' way. One in three couples, having jointly bought a home, ends up

divorced or splitting up. Wealthy divorcees also feed the rental market. Penny Parr-Head, director of the London agent Cluttons Residential Lettings, says that often the husband moves out, leaving the woman and children in the family home.

Such men should take care with their tax arrangements. Principal private residences are free from capital gains tax on any disposal. But beware: if one partner has moved out of the home and has been out for some time, he may have trouble arguing, in order to avoid CGT on his share of the proceeds, that it is still his main abode.

Ms Parr-Head says: "The increase in the divorce rates has affected the rental market more in terms of demand than of supply. The average rental for this type of person is £350 a week. They will either rent for six months or a year. At the end, they tend to buy, or in some cases actually to return to the marital home."

For those on lower incomes, especially for those with children, the process is more difficult. The value of their assets

may not be enough to equal the cost of two new homes. The result usually is that the wife stays in the family home and the husband moves out.

Courts sometimes decide on a division of assets but allow the husband a deferred interest. He is entitled to a share of the proceeds of selling the family home, but the sale is deferred, probably until the children have finished their education.

Other couples cannot afford to move at all if the mortgage is greater than the house's worth. What was once their castle has become their prison. Whether rich or poor, at every stage of buying or renting new property all divorced couples must resolve similar dilemmas. The most obvious is: who will be responsible for selling the house?

The courts usually help couples to decide. Agents act after a court settlement, which will have decided which party has been given the conduct of the sale, although some couples won't apply for a divorce until after a sale so they can work out the proceeds.

Young children are the courts' chief concern. They need a home, which is usually (though not necessarily) with the mother. She tends to end up staying in the house and therefore handling the sale.

That proved the case for James Smith and his wife, who after 30 years of marriage decided last year to divorce. They have three children, aged 26, 25, and 21, and jointly own a 16th-century Suffolk timbered house worth just under £300,000.

Mr Smith says: "My wife is handling the sale, and keeps me in touch. It's important the house is lived in, and my wife keeps the house nice and clean and tidy with fresh flowers. I would advise other couples that you should be careful if a woman is selling the house on her own. We have a system of appointments verified by

the agents. There is no room for casual appointments."

A second question is whether the couple own the house as joint tenants or tenants in common. With the former either partner's half-share goes to the other on death. But with the latter each partner separately owns, and can dispose of, his or her share. Many divorces arrange to change to tenants in common.

The actual sale can bring problems. Some couples agree that neither wants to build a

new relationship in a house with bad memories, and decide to make a fresh start. But some disgruntled partners have been known to scotch a sale by referring to "the pig farm down the road".

John Gibson of Savills describes a case in which a partner instructed another company to put the property on the market for £100,000 more than the asking price set by the original agent. The partner feared the original estate agent had undervalued, and the agents

ended up in court defending their valuations.

Others are miserable at selling the one place in which they find solace. William Edwards, a surveyor, and his wife Susan had been married for a year before they decided to divorce. At the time, they had no children and were living in Hampstead, north London. They had taken out a joint mortgage on a two-bedroom flat when they decided to split permanently.

Mr Edwards recalls: "The whole process of separating, dividing the possessions and selling our flat was one of the most stressful of my life. It was miserable to be selling just as I felt like licking my wounds in the privacy of my own home."

A house's sales appeal is not helped by the fact of a failed relationship. In a fragile market, mere mention of divorce may be enough to put off a buyer who worries that one party will pull out of the deal. Giles Hoskins of Winkworth estate agents says that many sales

fall through because of legal technicalities. Kevin Bury-Gray of Alex Neil, a Docklands agent, adds that sales are delayed because of the need to talk to two lots of solicitors on the sellers' side.

Sales can drag on. In a boom, the house can be sold in a matter of weeks. Not so in a slump, when the emotional torment of staying in a house full of unhappy memories or with an estranged partner can last for months.

Some names have been changed



Twice-divorced Liz McCallum and Liberty, her daughter: "My advice would be not to over-extend yourself"

## How I coped with divorce

LIZ McCALLUM, 46, runs lettings for John D. Wood & Co, estate agent in Wimbledon, and has twice been divorced. She now lives with Rupert, her son, and Liberty, her daughter, in Walton-on-Thames, Surrey.

"Both times I got divorced, I moved out of the family home. In the first case, we had the house valued as if it were for sale, and my husband bought me out of my share of the house. It was relatively easy because that was in the early 1980s and the house had escalated in value. The advantage was that we didn't squander any assets on solicitors' bills."

"My advice would be not to over-extend yourself. When I first divorced, I was buying with a new partner. Second time round, I was moving out on my own so I had exactly half the value of the marital home to spend. You feel emotionally battered and you feel a need to keep up appearances so you buy a big property. But it is important not to over-burden yourself and to provide a cosy and comfortable environment for the children. I think you and the children can feel more secure in a smaller house. You really should be careful if you're going it alone to safeguard what capital you've got. Now I live in a compact house, with four bedrooms costing £170,000."

### SELLING THE FAMILY HOME

THE London estate agent Chesterfield offers the following advice:

□ Give yourselves plenty of time and be prepared to rent houses to bridge the gap if you cannot find anything immediately suitable. Do not make rash decisions in a desperate attempt to be settled.

□ Appoint a solicitor to deal with the sale if the parties are not speaking to each other. Acrimonious couples who deny agents and potential buyers the opportunity to view the house to spite the other half

hold up the sale and make it difficult for the agent.

□ Decide what price you want for the house and know what price you are both prepared to accept as the bottom line. Couples who quibble about accepting offers can irritate buyers into pulling out.

□ Be honest and tell your estate agent the reason for the sale. Splitting up could help a purchase because people realise that there is a genuine reason for the sale.

□ If you have children, sell during term time and move in the holidays.

## Play away in the Caribbean

Rachel Kelly reports on the luxury homes by a new golf course in Barbados

It is, golfers joke, a fair way to go. But the Royal Westmoreland golf course and its surrounding homes in Barbados are proving a magnet for wealthy British buyers.

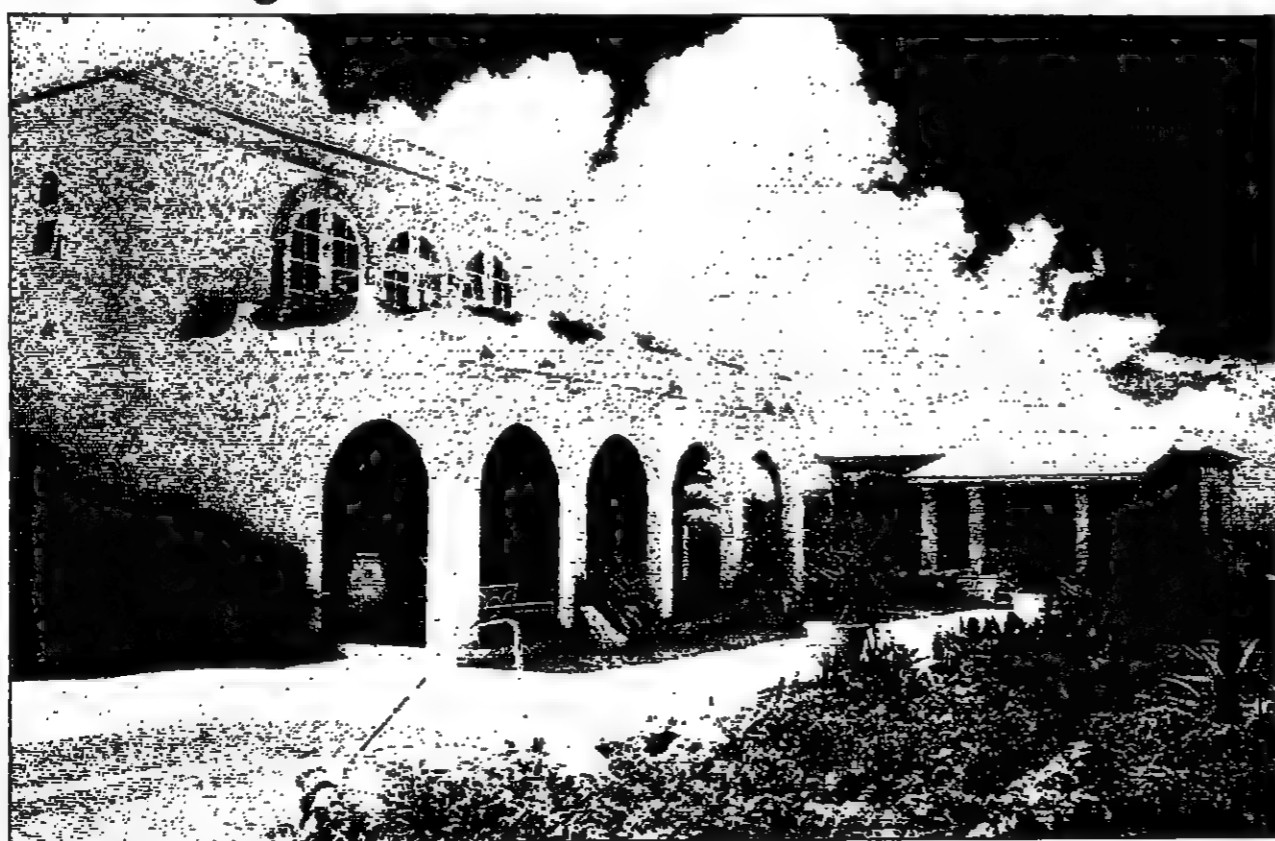
More than 30 homes around the 27-hole course, designed by Robert Trent Jones Jr, have already been sold, at prices of between £275,000 and more than £8 million.

The £350-million 480-acre scheme for 240 homes is the brainchild of the Rooney family. The main investor is William Rooney, a Yorkshire businessman who made his fortune in Spring Ram, a fitted kitchens company. His son Julian is the golf club's managing director.

Mr Rooney says: "The reason that people are buying here is because they know who their neighbours are and there are no public roads crossing the course." (A disadvantage, he might have added, of Royal Westmoreland's main rival, the Sandy Lane golf course on the west coast of the island.) The entrance to the club, a mile up the hill from the sea, is guarded by an attendant in a starched uniform. Newly planted tropical flowers and acres of golfing green stretch ahead. Several greens are set in former coral quarries.

Membership costs an initial £11,000 to join, plus £2,300 a year, and is restricted to homeowners and their families, with 120 members drawn from Bajans and honorary members, including Sir Gary Sobers. Ten hotels have negotiated rights for their guests to play at the club. One is the Colony Club, part of the St James Beach group of hotels.

The houses have views of the fairways and the azure



"The Begonia", one of the more luxurious houses in the Westmoreland development, was designed by Ian Morrison

Caribbean beyond, with pride of place given to the clubhouse with its soaring roof covered in white sailcloth. A sports centre encircling a 25-metre swimming pool is being built.

There are four main categories of houses. Thirty terraced villas, with two and three bedrooms, split-level living areas and views of the course and the sea, are priced from around £275,000; the four-bedroom plantation homes resemble colonial mansions and cost from £380,000; and the detached courtyard villas set in quarter-acre plots with pools start at £420,000. Finally, some of the larger detached homes, costing from £715,000, are set in half-acre plots, with a "media" room wired for telephone, fax and computer.

The houses were designed by two architects. Ian Morrison is behind many successful hotel projects in the West Indies, including the nearby Colony Club and Royal Pavilion. His signature houses are light and airy, using local coral stone. Inside, the houses have shell stone floors, wall lights and quoins in the local stone. The ceilings are made of Bajan pickled pine covered in a flaked whitewash.

The second architect is Larry Warren. His smart, colonial-style houses have vaulted roofs and use the same

coral and shell stone and pickled pine.

The aim is to attract captains of industry. Mr Rooney says. A typical buyer is 55, a businessman who may recently have floated a company, with a passion for golf. Buyers do not have to pay the 10 per

cent property purchase tax, and the company can help with local mortgages for up to 50 per cent of the price.

Most buyers will probably spend only two or three months a year at Royal Westmoreland, letting the houses for the remainder. The com-

pany claims healthy rental incomes of around 4.85 per cent a year on the basis of 24 let weeks a year, taking all outgoings into account, including staff. Royal Westmoreland staff will oversee and organise such rentals. For a longer letting season, there are returns from 8 to 10 per cent.

The course is unrivalled in the West Indies, but will face competition from other golfing developments in Florida, Portugal and the South of France. Pont Royal, a development in Provence between Avignon and Aix-en-Provence, has sold more than 120 properties and is only an hour's flight away from Britain.

The Pont Royal course is set in 450 acres of countryside and is 30 minutes from the airport at Marseille. The course, designed by Seve Ballesteros, has 18 holes. Other facilities include a 600-metre swimming pool, tennis courts, fishing and horse-riding.

The flight to Barbados may be just four hours on Concorde, but for most people it is a long hike. However Royal Westmoreland has the advantage over many European locations of unbeatable weather and a magical setting.

Royal Westmoreland: 0171-355 5028; Pont Royal 01792-0033



Altered design: Sir Robin and Lady Buchanan

### Golf with sea views

SIR ROBIN BUCHANAN and his wife Naomi are among the first buyers at Royal Westmoreland. The golfing and Barbados enthusiasts, who come from Bath, bought a £275,000 home with split-level sitting rooms and views of the sea. Sir Robin, a former busi-

nessman who was knighted for his work for the National Health Service, says: "We bought the house when it was just stakes in the ground." By buying at such an early stage, the Buchanans were able to alter the design to accommodate a bigger shower.

### Cash-squeezed council could gain £2m from scheme

Oxford residents must wait till the end of this month for the result of one of the most important planning applications to go before the city council. Developers have applied for permission for a new £17 million leisure complex near the railway station. The council stands to make at least £2 million in "planning gain" to fund other schemes.

The decision, due last month, was delayed till the Royal Fine Art Commission saw the plans. The money from the sale of the six-and-a-half-acre Expend site, jointly owned by the Labour council and Railtrack, would help to fund small projects under threat from spending cuts. Opponents of the scheme, however, fear that the council will bow to financial pressure to grant permission despite residents' objections.

Richard Davy, a Liberal

### Oxford leisure complex awaits planning vote

Democrat councillor, brands the scheme for a 1,800-capacity nightclub, five restaurants, a bingo hall, a multiscreen cinema and a riverside pub, by developers Pentith, as "banal, tasteless and boring".

"It's difficult for the planning committee to keep a clear head about this or act in the best interests of urban design when it is under pressure to generate money," he said.

The dilemma is a classic one affecting planning decisions up and down the country: cash-squeezed councils keen on developments which will boost their coffers versus residents sensitive to potentially unattractive schemes.

"It's not that we are against a leisure scheme for Oxford,"

Mr Davy continues. "It's just that we are against this particular type of development. We would prefer something more interesting and in scale."

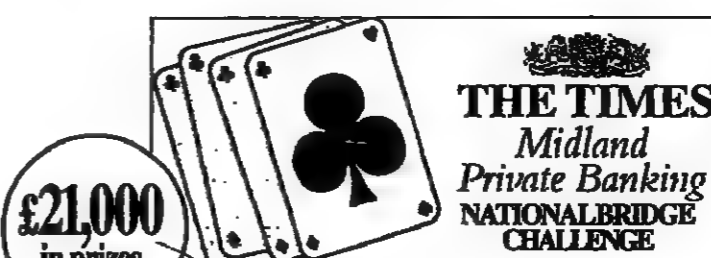
The site is currently used as a coach and lorry park, and disused allotments, and is out of the view of any Oxford college. John Arnold, director of property and technical services, said: "The council needs the money from this sale to continue its capital programme. I don't see there's a problem in having modern buildings close to historic ones."

Though no colleges have objected, local residents and John Patten, the MP, have expressed concern about the development at two public meetings and, in response, Pentith has responded by making 60 changes to its original proposals.

RACHEL KELLY

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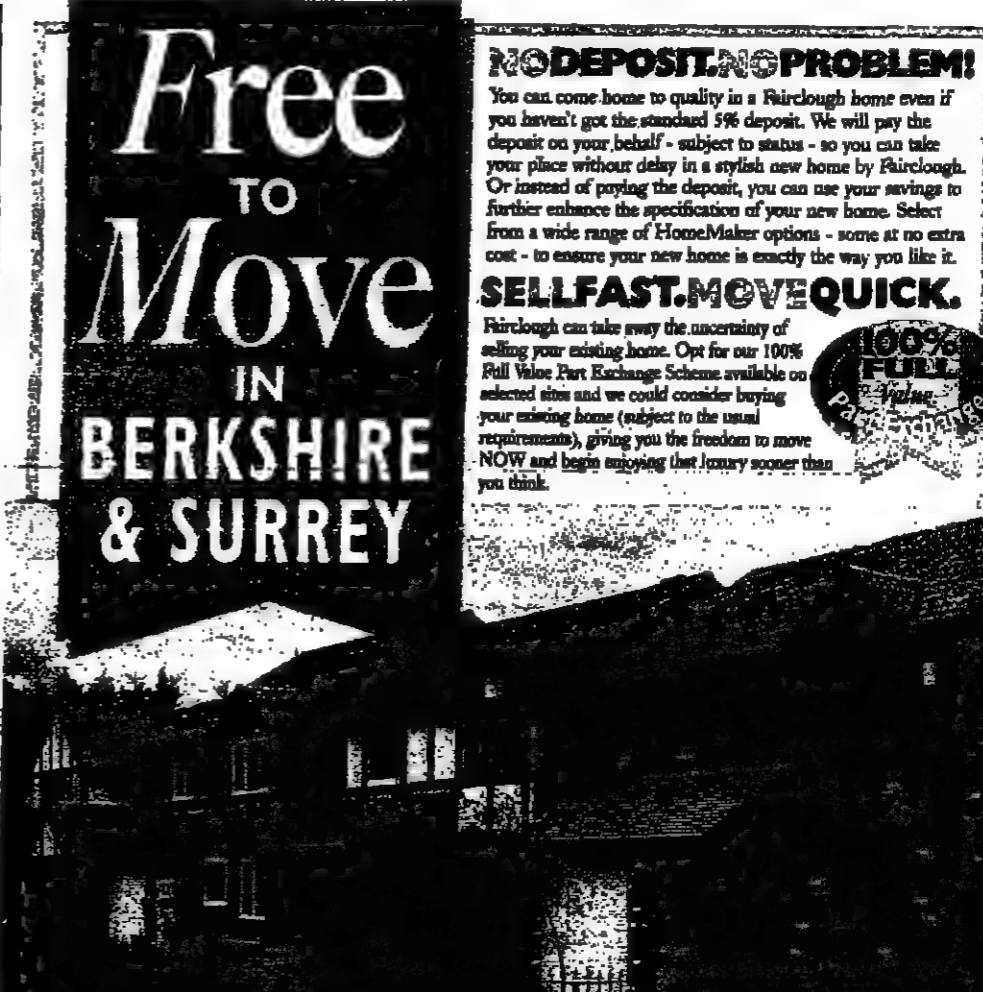
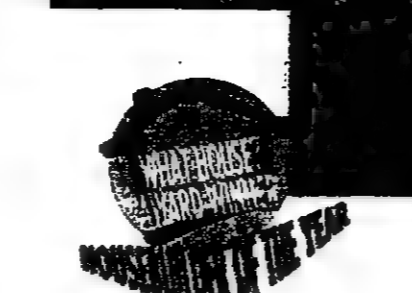
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### Correction

Last week the map of Scotland showed Glenfeshie in Aberdeenshire instead of Inverness-shire. The Strathaird Estate is in Skye, not Aberdeenshire.

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**BY PETER BALL**

If the game is drawn,

Southampton, who went out with honour, are back in Manchester for an even more important game on Saturday, against City at Maine Road. On Monday's form, they should be able to face that with some confidence.



**By CHRISTOPHER IRVINE**

The bad news for Oxford is that Spencer plans on being

around next year. In harness at half back with Dave Green, a former Featherstone Rovers Academy player, Spencer, the former Great Britain amateur international, had too much trickery up his sleeve for Oxford. Apart from a late burst of tries by Ferguson, Viney and the deserving Thomas, often a lone presence in an ill-organised defence, Oxford were overrun.

Everything in Cambridge's attack revolved around the ubiquitous Spencer. His distribution skills were better than his tactical kicking, but Oxford had no answer to either once Spencer had

A demoralised Oxford were breached almost at will in the second period. Aldridge took advantage of a big overlap. Spencer scythed through for his second try and bolted up the right for his third to add to a 60-metre score by Higgins. Spencer, the last rugby

league player to be banned in rugby union's pre-professional era, is back playing both codes for his university. The words "tainted by professionalism", to condemn Spencer's appearance in five games for London Crusaders, mercifully, are no longer part of the rugby union's language.

**SCORES:** Cambridge: Treci, Spencer, St. Pary 23, Great Achide, Hognes 10, D. G. P. 10, College, Whistler, Thomas, Vasey, Gode, Farguier 2.

**CAMBRIDGE UNIVERSITY:** St. Achide (Rugby) and Innely, N. Thowles (Bradford) GS and Jesus, A. Chetwinth (Newcastle) under-Lynde and St Catherine's, J. Hognes (St. Pary) and D. G. P. (College), Whistler (Whitgift and Magdalene), A. Spencer (Prestey, Warrington and St. Pary), D. G. P. (College), Hognes (St. Pary) and St Catherine's, D. Somers (St. Pary and Cause), N. Pary (Rissell and Pinnerhouse).

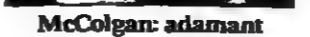
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Continued on page 10

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## Tytherrington HS (Cheshire) 0

HAMPTON COURT. English Land National

men: C Tee (Sunny) vs R Wright  
 dates: 6-0, 6-1



# Sentiment bows to business as Danoli falters



**ANDREW LONGMORE**  
At Cheltenham

Only one man in Co Carlow had a smile on his face after Danoli's defeat yesterday and even he knew he was smiling for the wrong reasons. For Terry Clarke, the mile-high pile of betting slips, representing the pounds and pence and good-will of every man, woman and child in the town, meant that sentiment had to be ushered out of the door of Snells, the little betting office in Bagenalstown.

This was business and not even a long friendship with Tom Foley, cemented over the odd wager or two, nor a strong instinct for miracles nor the host of hopeful faces, most of whom had never had a bet in their lives, could stand in the way of the figures. Danoli must not win, for all the colour photograph of the local champion proudly pinned to the wall behind him.

An hour before the Champion Hurdle, Clarke's nerves were already shredded. "It's unreal," Clarke, the manager of Snells, said. "There is no other horse than Danoli in the race as far as these people are concerned. I don't have to ask them who they're backing, I just take the ticket. I've had people I've never seen before, from the bank, the chemist, the businessman and farmers. If Danoli wins, there will be queues all the way down to the bank." On this side of the water, the feeling was much the same. Cheltenham was awash with tales which grew taller with every telling. How Danoli had been blessed by Father Edward Dowling of St Andrew's Church in Bagenalstown and tipped by Father

Breen of Co Kildare in his sermon last Sunday. Alongside Tom Foley, the quietly spoken trainer of Danoli, whose unassuming manner has been as much part of the improbable storyline as the deeds of Danoli, Chris Riggs had a very different kind of investment in the horse. No money, just time, skill and patience.

For 90 minutes last April, Riggs, a vet at the Liverpool University Equine Hospital, had operated on Danoli's off fore-leg, inserting three pins into the shattered joint. Privately, Riggs believed Danoli had no more than a 20 per cent chance of ever racing again, but the overwhelming optimism of Foley, who never once doubted the horse, kept him going. "I suppose I'm the pessimist and Tom is the ultimate optimist. He always said he would be back racing again and he was proved correct," Riggs said.

Yesterday, the most popular Irish horse since Dawn Run was cheered into the parade ring and cheered again into fourth. Foley knew his horse's fate long before Collier Bay had sailed up the hill to victory, had probably feared it once the forecast overnight rain had proved reality. Standing at the back of the stand set aside for the stable lads, he watched through shaking binoculars as Danoli clattered the third last as hard as he had 12 months before. By the time Danoli had run on to fourth, the disappointment had been diluted by the thought that merely returning to Cheltenham was a success. In a succession of inter-

**'There is no other horse than Danoli in the race'**



Foley is submerged by waves of journalists after Danoli's defeat in the Smurfit Champion Hurdle at the Cheltenham Festival yesterday

views, Foley spoke of the soft ground and Danoli's poor jumping. He praised the winner, said with all sincerity that others had been better on the day, that his horse had run in his heart out and beaten 12 home. Like the trainer of a beaten world heavyweight champion, never once did he suggest that

his champion might not be good enough. But when the last microphone had gone, he merged back into the crowd and wistfully watched the exultation of the celebrations in the winner's enclosure. Danoli might yet go to Aintree, where he suffered his injury and, all being well, he will

certainly be back at Cheltenham as a chaser next spring. Back in Bagenalstown, Snells had long since been left to his regulars and the sighs of relief which blew a shower of torn betting slips down the main street. "It's a real relief. I've never known such pressure," Clarke said. "It was a

great atmosphere in here before the start but you could see the faces drop a quarter of a mile out. People stayed on just hoping for a miracle, but as soon as the race was over, the place was empty. They didn't care about the ground or the course or the form, they just wanted that horse to win. I feel

sorry for Tom, but I'm sure he would understand. It's purely business." About £3,000 worth of business, to be precise, ten times above the usual takings for one race. Battle will resume today, of course. Another Carlow certainly is in the wind. With or without him in the last.

## Ventana Canyon lifts Irish spirits

By OUR IRISH RACING CORRESPONDENT

THE Irish came to Cheltenham expecting to cheer home Danoli in the Smurfit Champion Hurdle but had to be content with Ventana Canyon's success in the Guinness Arkle Trophy Chase, their only winner on the opening day of the Festival.

Ventana Canyon, at 7-1, was the second choice to Manhattan Castle among the Irish challenge, but Manhattan Castle's supporters swiftly knew their fate when he swerved at the start and threw the jockey, Francis Woods. "He lost his balance and his hind legs went," Woods said. Add the tragic accident to Draborgie and Edward O'Grady, the trainer of Ventana Canyon, was blessing his luck. "The cards fell our way," O'Grady said. The Co Tipperary trainer has not accumulated 14 Festival winners by luck alone, though, and he had set about maximising his horse's chance early yesterday.

"We schooled him over one fence and it turned out to be a good decision," O'Grady added after Richard Dunwoody had brought the gelding home clear of Arnie Kinsman. "It helped him to get his eye in."

Tom Foley had feared for Danoli's chance in the Champion Hurdle on Monday night when rain turned the ground good to soft. "It's very testing and Danoli just doesn't like that," he said. The ground was also blamed by Charlie Swan for Hotel Minella's failure. "It made all the difference, he was never happy on it," Swan said.

Dance Beat was best of the Irish in sixth in the Supreme Novices' Hurdle, but the well-backed Beakstown fell at the first. There was no better luck in the Ritz Club Handicap Chase as Flashing Steel was unhappy on soft ground.

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# On the scent of salvation

# Portrait of Elgar produces another enigma

An interesting point was raised by BBC2's *Bookmark* last Saturday, when it looked at the literary biographer, John Galsworthy. These biographers, who dangle by a fingertip from other people's fame. Moreover, such a sad function they fulfil, reducing great universal art to vulgar particular anecdote.

All this, as I say, was jolly interesting. Except that, hang on a dog-gone minute, how does arts television generally address the great cultural creators of the past and present? Hmm? Biographically, of course. When you read that Channel 4's *Without Walls* will be presenting an hour-long film about Sir Edward Elgar — Elgar's *Testa Mest* — the accompanying picture of James Fox in funny white moustache, spooning over a young Hungarian violinist in 1922 bohemian eye make-up seems perfectly natural. A film about

Elgar will be a film about Elgar's life, in which close friends address him as "Ted". In fact, you wonder how good the moustache will be, before you wonder about the music.

The moustache wasn't had, actually, although fabricated from a woolly substance that never saw a human lip before. The film itself, by Paul Yule, was made with great attention to beauty and light, and the music soared and plunged like Elgar's heart. The young woman's name was Jelly d'Aranyi, and as played by Selma Alipahic (a name to conjure with), she flashed with exotic eastern European mystery, running rings around the poor old duffer in the spats. At the climax of the film, Elgar tried to kiss her and she ran out of his house, hailing a cab in a far-fetched theatrical manner.

Meanwhile it was plain that Elgar had been moved by Jelly (a sentence I never thought I'd write).

He used the word "damnably" when discussing her — which, among those born in the reign of Victoria, is code for enhanced emotional agitation. But was he rather in love with the music she played (or mimed) so beautifully? Jelly was less ambiguously keen on Elgar, in fact she seemed to fancy him; but then why the sudden flight to Budapest? It was all an enigma, and all very biographical, and the hats were great.

But stop me, if it wasn't the night of a thousand Teils. I believe I mentioned last week that the central figure of Steven Bochco's *Murder One* (BBC2) is called Ted. Well, so was Edward Elgar, and so was Russ Abbot in his new sitcom, *Married for Life* (ITV). What a carry on. You can wait years for a leading role called Ted, and then suddenly the airwaves are stiff with them.



Lynne Truss

There were also a lot of bald-headed men on television last night, but I wonder: when a critic starts counting the bald-headed men ("There's one! Ha ha ha!"), it may well be time for a 6,000-mile service.

*Murder One* had two bald-headed men, just for the record. One of them, of course, was that most impressive Ted of all, Daniel Benzali, whom we may call here

Superted. Last week's initial murder-and-suspect set-up has been complicated and compounded by a glamorous surprise alibi witness called — wait for it — Beverly Nichols. This show was either never intended for export to Britain, or is a subtle social experiment in surrealism. When the trial judge turns out to be called Les Patterson, Ronnie Corbett or Rudyerd Kipling we can legitimately run screaming in the streets.

Russ Abbot does actually look like a Ted, but this was no excuse for *Married for Life*, a truly hysterical, card-sharp sitcom with horrible characters and bad jokes. For years, I have joined in with the platitudes that Russ Abbot is a highly talented bloke who by tragic misfortune suffers from bad comic material, but it's time to get tough about this, and waggle the forefinger: "Russ Abbot, you have appalling taste." *Married for Life* features a wife straight out of Ray

Cooney faces — micro-skirt, Wonderbra, and knee-covering suede boots — to whom the dull Ted is just an inadequate breadwinner. It's one of those shows whose credits shoot up-screen like tracer-bullets at the end, to obstruct identification of the guilty.

There is doubtless a target audience for *Married for Life*: middle-aged complacent men who feel ignored by their grasping families. But the revolt of the henpecked husband has a glorious comic tradition — Walter Mitzy, Reginald Perrin — and Russ Abbot isn't the right role model in any case, being rather handsome. Even the plot last night was stupid, entailing a missing bankers' draft for £100,000. Ted's family hoped he had stolen it, so that they could be rich. But after two days, the bank manager next door finally found it in the waistband of his own trousers (he

hadn't taken off his trousers in two days). Still hopeful, teenage son unbuckled Ted's belt, but Ted assured him "There's nothing in there". And his wife said (although she didn't need to), "I can vouch for that".

If the embattled man wants laddish entertainment, he is far better advised to watch the sports quiz *They Think It's All Over* (BBC1), which returned in fine form last night, although quizmaster Nick Hancock's laryngitis sadly hasn't got better. I can't begin to tell you how many bald men were mentioned, but there were lots, and I am not going mad. The tie break was classic — interview clip with Ray Parlow of Arsenal, with question to follow: However, before Hancock could pose the question, both quick-witted teams had yelled "Five!" and "Six!". The question was, "How many times did Parlow say 'obviously'?" What excellent entertainment this is.

## BBC1

- 6.00am Business Breakfast (94684)
- 7.00am BBC Breakfast News (58042)
- 9.00am Breakfast News Extra (58042) (9339139) 9.20am Can't Cook, Won't Cook (s) (2438435) 9.45 Kilroy (s) (245680)
- 10.30am Good Morning with Anne and Nick (s) (97525)
- 12.00am News (221895) 12.05pm Tumbleabout (s) (563957) 12.30pm Going for a Song (s) (46110)
- 1.00pm One O'Clock News (58042) and weather (4676208)
- 1.40pm Neighbours (58042) (s) (94850313)
- 2.40pm Posh (58042) (s) (94850313)
- 2.40pm Snowy River — the McGregor Saga (s) (s) (1315690)
- 3.30pm Moomin (565665) 3.55pm Blues (s) (5093435) 4.10pm Rugrats (s) (8784477) 4.35pm Out of Tune (58042) (s) (2922684)
- 5.00pm Newsround (58042) (s) (971935)
- 5.10pm Blue Peter (58042) (s) (1381684)
- 5.35pm Neighbours (s) (s) (917435)
- 6.00pm One O'Clock News (58042) and weather (435)
- 6.30pm Regional News magazines (787)
- 7.00pm **Choice** *Funny Girl: A Tribute to Marlene Dietrich* (58042) (s) (5348)
- 7.30pm **Here and Now**. Includes the result of a two-year undercover investigation into the suffering of animals in some of Britain's top medical research establishments. (58042) (s) (771)
- 8.00pm **How Do They Do That?** How astronauts wash, cook and clean in space; how television clips learn to act; and how James Scott survived 41 days alone without food on the snow-covered Himalayas (147752)
- 9.00pm **Points of View**. (58042) (s) (374232)
- 9.00pm **Nine O'Clock News** (58042), regional news and weather (1313)
- 9.30pm **Silent Witness**. Darkness Visible. Drama series about a forensic pathologist, Dr Ryan, as he unravels the history behind a death in a police cell. (58042) (s) (112) (330042)
- 10.20pm **Sportsnight**. Introduced by Tony Gubba, featuring Scotland's Gary Mackenzie, Spain's Edwin Morillo in the IBF intercontinental welterweight title, Cricket highlights from today's first World Cup semi-final, Rugby: a preview of the last weekend of this year's five nations' championship; Rowing: Steven Redgrave and Matthew Pinsent prepare for the Olympics; Football: highlights of Nottingham Forest v Aston Villa (s) (270819)
- 12.10am **Film: Why Would I Lie?** (1990) with Treat Williams and Lisa Eichhorn. A child-welfare officer with a habit of compulsive lying is desperate to hang onto his inheritance from his parents but has to swear in writing that he will use it wisely. Then he meets a young foster child who has been separated from his parents and begins an attempt to reunite mother and child. Directed by Larry Pearce (58042) (s) (557207)
- 1.50am Weather (4906395)

## BBC2

- 6.00am Open University: Maths (9880416) 6.25pm Magnetics Earth (9776023) 6.50pm Poetry: Language and History (9884481)
- 7.15pm **See Hear** Breakfast News (58042) and weather (1886771)
- 7.30pm **Stingray** (s) (58042) 8.00pm **Run the Risk** (s) (5672416) 8.25pm **Wishing** (s) (6103416)
- 8.40pm **The Record** (s) (6280787)
- 9.05pm **Daytime**. Two Educational programmes. Plus for children, 10.00-10.25pm Playdays (4780503)
- 10.00pm **Wishing** (s) (6103416)
- 10.10pm **The Andrew Neil Show**. Viewers have the chance to question the newsmakers. (s) (4367435)
- 3.00pm News (58042), regional news and weather (4548941) 3.05pm Westminster with Nick Ross (58042) (s) (9873936)
- 3.55pm News (58042) and weather (4100226)
- 4.00pm **Today's the Day**. History quiz (s) (400)
- 4.30pm **Ready, Steady, Cook** (s) (584)
- 5.00pm **The Oprah Winfrey Show**. Advice on how to opt out of the aspirations and pressures of a consumer society. (58042) (s) (3971868) 5.40pm **A Week to Remember**. 1956 (b/w) (628228)
- 5.50pm **A Different Country Practice: The Hospital**. The last programme in the series looking at the work of the Airedale NHS Trust focuses on the general hospital where the latest equipment for emergency care is used to treat patients who cannot be treated at the local health centres. (58042) (s) (526232)
- 6.00pm **Star Trek: The Next Generation**. Sci-fi adventures (58042) (s) (27684)
- 6.45pm **Buck Rogers in the 25th Century** (s) (480503)
- 7.30pm **The Car's the Star**. Quentin Wilson tells the story of the Land Rover (s) (58042) (s) (623110)
- 7.50pm **A Bad Time to Be a Man: I Love Mike Tyson**. An unemployed black man uses Mike Tyson's life to give a rare insight into why young British black men are more likely to identify with a convicted rapist than other role models. (58042) (s) (433684)
- 8.00pm **Ken Hom's Hot Walk**. Oriental cuisine series (58042) (s) (8110)
- 8.30pm **University Challenge**. Imperial College, London versus Lancaster University (58042) (s) (1145)

## CHOICE

- Funny Girl — A Tribute to Marlene Dietrich** (58042) 7.00pm Rather long after the event, as Marlene Dietrich died in November, the BBC gets round to celebrating an entertainer who seems even better in retrospect than she did at the time. Marlene was a trailblazer, one of the first women to succeed at stand-up comedy with material that spoke of the pain of life. Asked during her battle with cancer where she got the courage to fight adversity, she replied: "I had a lot of practice." Her difficult early life in working-class Yorkshire was echoed in much of her career, even if she made light of hardship by turning it into jokes. And there was never any self-pity. Striding rather than beautiful, she deliberately mocked her long legs and skinny frame, and her hairstyles were extraordinary. Tributes come from Ken Dodd, Bob Monkhouse and Jim Davidson but not, curiously, from any women.
- Travelog** Channel 4, 8.30pm The challenge for anybody doing a travel piece on Venice is to find ways of freshening the clichés. Peter McCarthy does his best, retaining in his usual staid style for the viewer to take what they wish. He gives us a glimpse of Venice that the guidebooks miss. But there is a joke and it is a good one. The first prize in the local lottery is a car. In a city of waterways it is about the last thing anyone would want. The film is worth watching for the photography alone. If you find McCarthy irritating, turn the sound down and feast on the images. Another city, Montreal, is profiled by the Irish comedian Owen O'Neill. His visit underlines the persistence of French culture and includes a chat with Pierre Brassard, the disc jockey who became famous for 15 minutes with his hoax telephone call to the Queen.
- Modern Times Quality Time** BBC2, 9.00pm If Amanda Richardson's documentary was meant to win sympathy for busy working mothers trying to find time for their children, it backfires badly. The three women featured (the film chooses to ignore fathers, working or otherwise) seem only too glad to dump the kids on a nanny so that they can get on with the jobs they enjoy more. Jane, a public relations consultant, is divorced, and presumably needs to support herself. Caroline, another PR, admits that she prefers working to looking after her children, both under five, and you start to wonder why Dominique had children at all. Dominique works an 85-hour week in a family clothing business which has made her very rich. But her children are left crying for mummy. Even on holiday they are left with a nanny while Dominique spends her time shopping and doing business on the mobile phone.
- A Man's World: Rites of Passage** BBC2, 9.00pm The oral history of masculinity moves on to the awkward transition from boy to man. In the first half of the 20th century it was more awkward than it is today. A carefully edited mixture of witness and archive film illuminates a time when boys were expected to display a masculine strength and toughness. At public school, games toughened up the body and Classics were considered more manly than English literature. Working-class youngsters showed their manliness in the pit or the travelling boxing booths. The film charts the various rites of passage, each with its own rituals. Relationships with women were sources of embarrassment and sex was fraught with ignorance and confusion. Marriage was almost a liberation, though the girl's father had to be asked first. Peter Waymark

## HTV

- 6.00am GMTV (1207856)
- 9.25pm Win, Lose or Draw (s) (2340206)
- 9.55pm Regional News (Teletext) (4694752)
- 10.00pm The Time... the Place (s) (880665)
- 10.35pm This Morning (9885139) 12.20pm Regional News (Teletext) and weather (2212139)
- 12.30pm News (Teletext) and weather (7162706)
- 12.55pm Shortland Street (s) (7074597) 1.25pm Coronation Street (s) (Teletext) (4526508) 2.00pm Home and Away (Teletext) (s) (3093148) 2.25pm Chain Letters (Teletext) (s) (3002416) 2.50pm Vanessa (Teletext) (s) (4548313)
- 3.20pm News (Teletext) (5097431) 3.25pm Regional News (Teletext) and weather (6447572)
- 3.30pm Alphabet Castle (s) (5065416) 3.40pm Wizards (s) (2910771) 3.50pm Twinkle the Dream Being (s) (2916555) 4.00pm Garfield and Friends (808040) 4.20pm How 2 (s) (Teletext) (5185110) 4.40pm Spellbound (1818435)
- 5.10pm A Country Practice (s) (9881787)
- 5.40pm News (Teletext) and weather (433058)
- 6.00pm Home and Away (s) (Teletext) (s) (800752)
- 6.25pm HTV News (Teletext) (432655) (700232)
- 7.00pm Wish You Were Here...? Judith Chalmers visits French holiday farmhouses and John Carter is in Khajuraho in India (Teletext) (s) (5836)
- 7.30pm Coronation Street. Andy is concerned that Liz may still be interested in Des (Teletext) (139)

## HTV WALES

- As HTV WEST except:
- 6.25pm-7.00pm Wales Tonight (432555)
- WEST COUNTRY** As HTV WEST except:
- 12.25-12.30pm My Story. Australian-born Helga Watts, now living in Devon, recalls her difficult path to faith (2393058)
- 12.55pm Coronation Street (7074597)
- 1.25-1.55pm Chain Letters. Word game with cash prizes (8840040)
- 1.55pm Home and Away (42341023)
- 2.25pm Vanessa (3094188)
- 2.55-3.20pm A Country Practice (3566435)
- 5.10-5.40pm Home and Away (9881787)
- 6.00-7.00pm Westcountry Live. Presented by David Foster and Alison Johns (56597)
- CENTRAL** As HTV WEST except:
- 12.55pm Home and Away (7074597)
- 1.25pm Chain Letters (8840040)
- 1.55pm A Country Practice. Medical drama series set in the Australian outback (94937416)
- 2.20pm Vanessa (30942597)
- 2.50-3.20pm Our House (4546313)
- 5.10-5.40pm Shortland Street (9881787)
- 6.25-7.00pm Central News and Weather (432555)
- 7.00pm The Good Sex Guide... Late (4252801)
- 3.05pm Jones and Jerry (97457795)
- 3.30pm On the Live Side (89648)
- 4.00pm Jobfinder (4507511)
- 5.20pm Asian Eye (8130153)
- MERIDIAN** As HTV WEST except:
- 12.55pm Chain Letters (7074597)
- 1.25pm Home and Away (8840040)
- 1.55pm A Country Practice (94937416)
- 2.20pm Vanessa (30942597)
- 2.50-3.20pm The Lady Killers (4546313)
- 5.10pm Home and Away (9881787)
- 5.37-5.40pm Three Minutes — FreeScreen (545313)
- 6.00pm Meridian Tonight (503)
- 6.30-7.00pm Jungle on Your Doorstep (955)
- 5.00pm FreeScreen (77356)
- S4C** Starts: 6.35pm Sherry and George (6998584) 7.00pm The Big Breakfast (41752) 9.30pm Living and Growing (927234) 9.45pm Book Box (9373077) 10.00pm Stargate: Two Scientists (3202923) 10.15pm The French Programme (1701145) 10.35pm Irish Scientists and Inventors (220954) 10.55pm Film and Video Showcase (3599787) 11.07pm Schools at Work (6242868) 11.15pm The Mx (6905684) 11.30pm Rat-at-tat-tat (4667961) 11.45pm First Edition (4667961) 12.00pm House of House (14077) 12.30pm Wowser (42348) 1.00pm Slot Mailtrain (51139) 1.30pm Channel 4 Racing: The Cheltenham Festival (605400) 4.30pm Motormania (752) 5.00pm Pump: Cellaigat (1742400) 5.15pm Pump: Felli (3774481) 5.30pm Countdown (3202923) 5.50pm Newyddion (265364) 6.15pm News (988329) 7.00pm Robed Y Cam (246890) 7.25pm Bubble Gum (442503) 8.30pm Gwynn A'i Fyd (7706) 8.30pm Newyddion (3313) 9.00pm The Shark Shooter (2394) 10.00pm Brookside (756708) 10.35pm E.R. (280348) 11.35pm Cybill (162589) 12.05pm Channel 4 Racing: The Cheltenham Festival (5948356) 12.35pm NBA XFL (855707)

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## For more comprehensive listings of satellite and cable channels, see the Vision supplement, published Saturday

## SKY ONE

- 7.00pm **Book of the Dead** (56568) 8.00pm **Philly 44** (56568) 8.30pm **Love Connection** (421007) 9.00pm **Love Connection** (421007) 9.30pm **Love Connection** (421007) 10.00pm **Love Connection** (421007) 10.30pm **Love Connection** (421007) 11.00pm **Love Connection** (421007) 11.30pm **Love Connection** (421007) 12.00pm **Love Connection** (421007) 12.30pm **Love Connection** (421007) 1.00am **Love Connection** (421007) 1.30am **Love Connection** (421007) 2.00am **Love Connection** (421007) 2.30am **Love Connection** (421007) 3.00am **Love Connection** (421007) 3.30am **Love Connection** (421007) 4.00am **Love Connection** (421007) 4.30am **Love Connection** (421007) 5.00am **Love Connection** (421007) 5.30am **Love Connection** (421007) 6.00am **Love Connection** (421007) 6.30am **Love Connection** (421007) 7.00am **Love Connection** (421007) 7.30am **Love Connection** (421007) 8.00am **Love Connection** (421007) 8.30am **Love Connection** (421007) 9.00am **Love Connection** (421007) 9.30am **Love Connection** (421007) 10.00am **Love Connection** (421007) 10.30am **Love Connection** (421007) 11.00am **Love Connection** (421007) 11.30am **Love Connection** (421007) 12.00pm **Love Connection** (421007) 12.30pm **Love Connection** (421007) 1.00am **Love Connection** (421007) 1.30am **Love Connection** (421007) 2.00am **Love Connection** (421007) 2.30am **Love Connection** (421007) 3.00am **Love Connection** (421007) 3.30am **Love Connection** (421007) 4.00am **Love Connection** (421007) 4.30am **Love Connection** (421007) 5.00am **Love Connection** (421007) 5.30am **Love Connection** (421007) 6.00am **Love Connection** (421007) 6.30am **Love Connection** (421007) 7.00am **Love Connection** (421007) 7.30am **Love Connection** (421007) 8.00am **Love Connection** (421007) 8.30am **Love Connection** (421007) 9.00am **Love Connection** (421007) 9.30am **Love Connection** (421007) 10.00am **Love Connection** (421007) 10.30am **Love Connection** (421007) 11.00am **Love Connection** (421007) 11.30am **Love Connection** (421007) 12.00pm **Love Connection** (421007) 12.30pm **Love Connection** (421007) 1.00am **Love Connection** (421007) 1.30am **Love Connection** (421007) 2.00am **Love Connection** (421007) 2.30am **Love Connection** (421007) 3.00am **Love Connection** (421007) 3.30am **Love Connection** (421007) 4.00am **Love Connection** (421007) 4.30am **Love Connection** (421007) 5.00am **Love Connection** (421007) 5.30am **Love Connection** (421007) 6.00am **Love Connection** (421007) 6.30am **Love Connection** (421007) 7.00am **Love Connection** (421007) 7.30am **Love Connection** (421007) 8.00am **Love Connection** (421007) 8.30am **Love Connection** (421007) 9.00am **Love Connection** (421007) 9.30am **Love Connection** (421007) 10.00am **Love Connection** (421007) 10.30am **Love Connection** (421007) 11.00am **Love Connection** (421007) 11.30am **Love Connection** (421007) 12.00pm **Love Connection** (421007) 12.30pm **Love Connection** (421007) 1.00am **Love Connection** (421007) 1.30am **Love Connection** (421007) 2.00am **Love Connection** (421007) 2.30am **Love Connection** (421007) 3.00am **Love Connection** (421007) 3.30am **Love Connection** (421007) 4.00am **Love Connection** (421007) 4.30am **Love Connection** (421007) 5.00am **Love Connection** (421007) 5.30am **Love Connection** (421007) 6.00am **Love Connection** (421007) 6.30am **Love Connection** (421007) 7.00am **Love Connection** (421007) 7.30am **Love Connection** (421007) 8.00am **Love Connection** (421007) 8.30am **Love Connection** (421007) 9.00am **Love Connection** (421007) 9.30am **Love Connection** (421007) 10.00am **Love Connection** (421007) 10.30am **Love Connection** (421007) 11.00am **Love Connection** (421007) 11.30am **Love Connection** (421007) 12.00pm **Love Connection** (421007) 12.30pm **Love Connection** (421007) 1.00am **Love Connection** (421007) 1.30am **Love Connection** (421007) 2.00am **Love Connection** (421007) 2.30am **Love Connection** (421007) 3.00am **Love Connection** (421007) 3.30am **Love Connection** (421007) 4.00am **Love Connection** (421007) 4.30am **Love Connection** (421007) 5.00

Electricity cut provides power for jockey's success in Champion Hurdle

## Bradley wakes up to Festival glory

BY RICHARD EVANS  
RACING CORRESPONDENT

A FORTUITOUS power cut and an unexpected eleventh-hour call-up yesterday enabled Graham Bradley to complete a fairytale success on Collier Bay in the Smurfit Champion Hurdle at Cheltenham.

As the 9-1 shot powered up the famous hill at the home of jump racing, beating Alderbrook, the defending champion and odds-on favourite by 2½ lengths, few in the 39,175 crowd can have realised how big a role fate had played in the outcome.

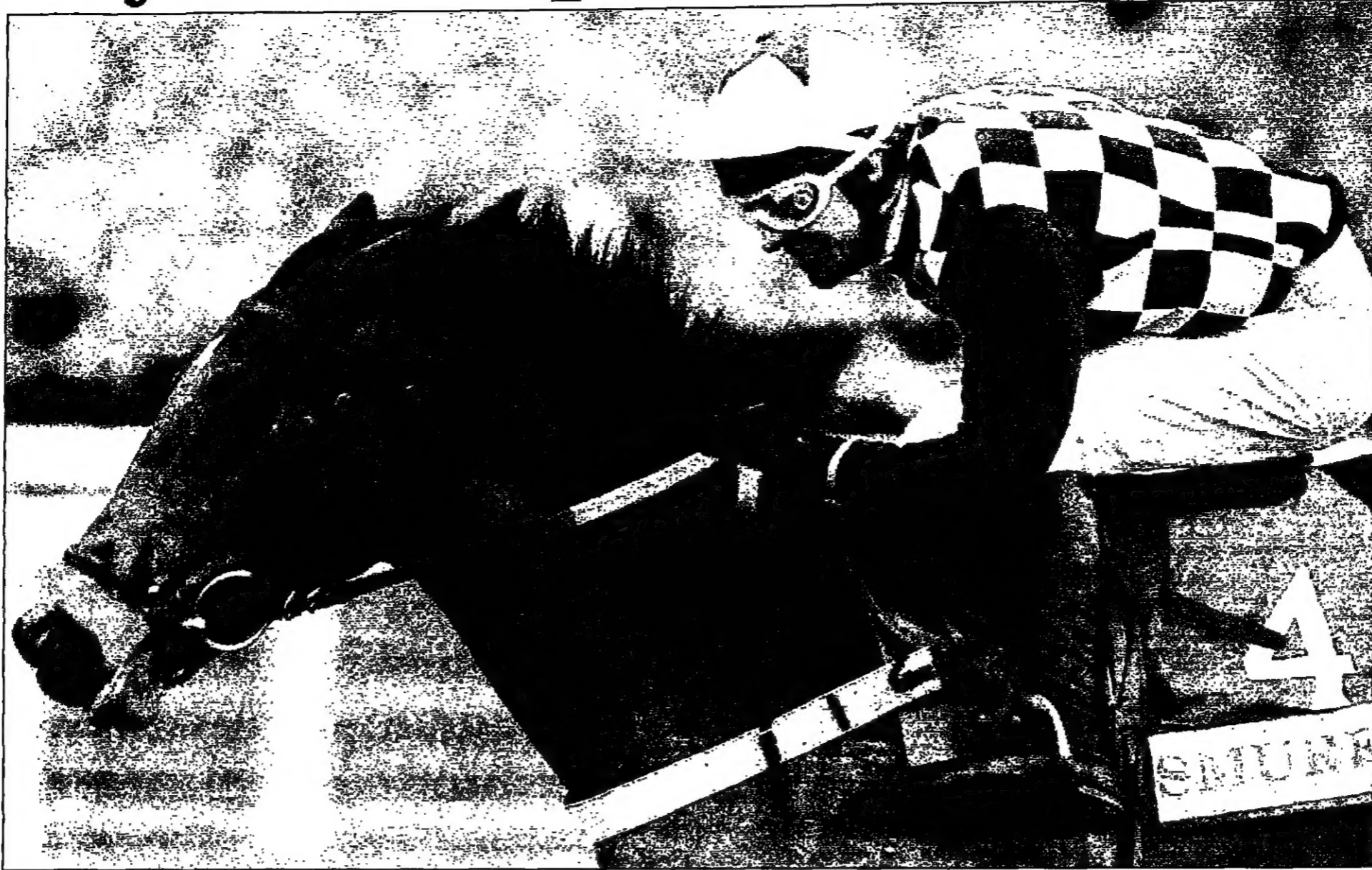
Bradley, 35, had been due to school Alderbrook at Lambourn last month and, in all probability, would have gone on to ride the hot favourite for yesterday's race. However, a power cut that turned off the jockey's electric alarm clock meant he overslept, missed the work-out — and was replaced by Richard Dunwoody. Jamie

Perfect timing ..... 1  
Diary ..... 18  
Danoli disappoints ..... 44  
Tragedy for Pipe ..... 45

Osborne, who rode Collier Bay to victory in the Irish Champion Hurdle, decided on Sunday night to ride Mysliv in yesterday's race and Bradley was only invited to take over on the Jim Old-trained six-year-old 24 hours before the £175,000 race.

The strange circumstances underpinning this most popular outcome to the hurdlers' crown do not end there. To complete the remarkable story, Old and Wally Sturt, trainer and owner of Collier Bay, were the underbidders when Alderbrook went through the sales ring as a youngster and Kim Bailey, the trainer of Alderbrook, was just pipped by Old and Sturt when they paid 45,000 guineas for Collier Bay three years ago.

Bradley, dubbed the Alarm Clock Champion, said: "Collier Bay felt great — he travelled and jumped well — it is unbelievable. Jim Old promised me that Collier Bay



Bradley, who was offered the ride on Collier Bay 24 hours earlier, powers the horse to victory in yesterday's Champion Hurdle at Cheltenham. Photograph: Ian Stewart

would be 10lbs better than he was in Ireland. When I went past Jamie going to the second last, there were a few expletives from Jamie, who realised that he had chosen the wrong one. I popped the last and went strongly up the hill."

Old, who, in appearance, resembles a weather-beaten trawlerman, has not always enjoyed the best of fortune in a training career stretching back to 1972. The dreaded virus, which can lay low the

toughest and most gifted of equine athletes, has followed him with the loyalty of an obedient puppy as he has tried his luck at four different yards.

However, as this most likeable man arrived at Prestbury Park yesterday, he knew, for once, the Gods were on his side. A third of an inch of overnight rain and flurries of snow that covered nearby Cleeve Hill had changed the official going from good to soft — the kind of ground that converts his hurdler from a bit-part player to a champion.

With Mysliv adopting her customary front-running role, Bradley always had Collier Bay travelling sweetly in her slipstream while Danoli, the hope of Ireland, galloped not far away. Jumping to the front

two flights from home, he poached a healthy-looking lead approaching the final flight.

With Danoli finding little to offer under such pressure, Alderbrook came from some way off the pace but never looked like catching the win-

ner. For Old and Sturt, the most loyal owner a trainer could wish for, the victory completed a dream they had nurtured for more than a decade. Ever since Old sent

white checked silks to finish second to the great Dawn Run in the 1984 Champion Hurdle, they have set their sights on going one better.

"This has always been the race I have wanted to win, above all others. With this race, I feel you can buy a horse that can win it. The Gold Cup is a dream factory and the Grand National is a lottery," Old said.

Sturt, a successful businessman and stalwart of jump racing, first sent horses to Old in the late 1970s and has remained with him through thick and thin. "Patience pre-

valled," he said. Pridwell finished third, a length clear of Danoli, whose trainer, Tom Foley, was understandably disappointed. "I wish we were there in first

place. We got beat on the day and that's it. We'd have preferred yesterday's ground. He possibly didn't jump as well as another year, but didn't like the ground," he said, before thanking all the horse's followers for their support.

Bailey, whose Alderbrook was backed to take out £100,000 in big bets alone, said: "The horse that beat us ran a bloody good race. We got hampered a couple of times and ran a very good race. It's slightly annoying as we were the underbidders for the winner in the sale ring at Newmarket."

Stop The Waller's victory gave jockey Ken Whelan a winner on his first Festival ride, a feat emulated in the closing Hamlet Cigars Gold Card Handicap Hurdle (FI-

nal) by Richard McGrath on board Great Easeby.

Great Easeby's trainer, Will Storey, had aimed the gelding at the race for a year and was a relieved man when the 7-1 shot withstood the strong late finish of Gillan Cove by a fast-reducing neck.

To add to Storey's concern, the stewards called an inquiry after the winner drifted towards Pharaneer, who eventually finished third. Storey, after learning his charge had kept the race, said: "I was as confident about his chances as I could be. His key is stamina although I wouldn't have wanted it much softer."

□ The opening-day crowd of 39,175 was the second highest first-day figure for the Festival, behind that for Tuesday last year, 42,875.

Scot loses  
pounds  
to bring  
home the  
baconFROM MEL WEBB  
IN DUBAI

COLIN Montgomerie never was the slimmest of men; where Greg Norman was a greyhound and Nick Faldo a well-honed retriever, Montgomerie was one of the bulldogs of world golf.

Yet that has all changed and Montgomerie will make his delayed start to the PGA European Tour season in the Dubai Desert Classic here tomorrow putting less strain on the bathroom scales.

Let there be any misunderstanding, the burly Scot is still a heavy weight. There remains a good deal of flesh on his ample frame — there is just a little less of it. About two stones less.

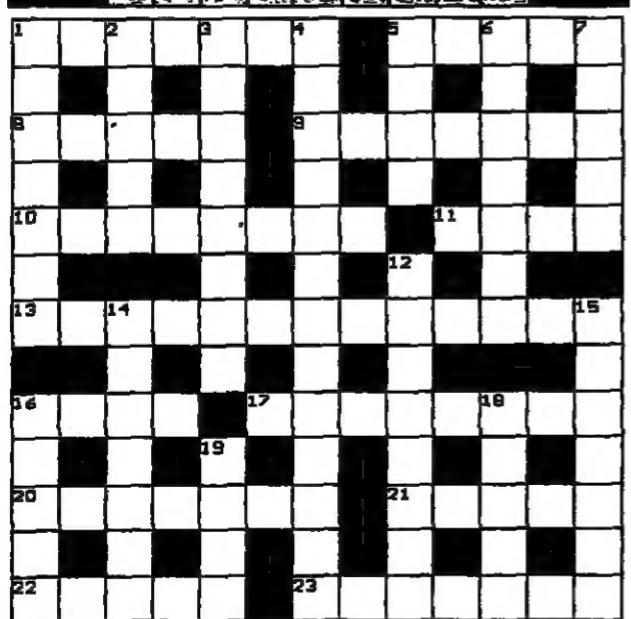
Montgomerie would never admit his weight, beyond conceding that at his heaviest, he was more than 16st. He is still not svelte and, indeed, has no intention of becoming so. Neither is he yielding to the no doubt well-meaning advice of some of his peers, notably David Leadbetter, coach to Faldo.

Montgomerie, Leadbetter suggested, would never win one of golf's major championships while he carried around all that excess baggage.

"I've not done it because of what he said," Montgomerie said with more than a hint of defiance. "My golf was not suffering so I didn't feel I had to lose weight. I've done it for me."

Montgomerie has spent the winter concentrating more on his body than his swing. The Scot, it seems, is delighted with his new silhouette. "I'm enjoying it already, especially with the results I've had."

The results in the gym, he meant — because he has hardly picked up a club. It will be interesting to see if he is playing well. If he is not, whether his uncertain temper has also been shed. Perhaps it has — and perhaps pigs can levitate.

TIMES TWO  
CROSSWORD

No 728

## ACROSS

- 1 A taking away (7)
- 2 French currency (5)
- 3 Object (whose name one has forgotten) (5)
- 4 Bother, nuisance (7)
- 5 German motorway (8)
- 6 Principal: number of cattle (4)
- 7 With no axe to grind (13)
- 8 Rendered pig fat (4)
- 9 Forest-killing pollution (4,4)
- 10 Capital of Kenya (7)
- 11 Wireless (5)
- 12 US saloon: portable chair (5)
- 13 Unhinge (mind) (7)

## DOWN

- 1 Smallest Eng. county (7)
- 2 Damp (5)
- 3 Hobo (8)
- 4 Youngster often home to empty house (8,5)
- 5 Collapse in heap, failure (4)
- 6 Of the surroundings (7)
- 7 Set of principles, beliefs (5)
- 8 One offering: more gentle (8)
- 9 Close-packed (ranks) (7)
- 10 Sgt who loves, then kills, Carmen (3,4)
- 11 Seaside golf course (5)
- 12 As You Like It forest (5)
- 13 Ripped (4)

## SOLUTION TO NO 727

- ACROSS: 1 Busybody 5 Scud 8 Grey area 9 Gear 11 Demon 12 Cropper 13 Delphi 15 Entrée 18 Faculty 19 Enact 21 Ours 22 Harangue 23 Anew 24 Folklore
- DOWN: 1 Baghdad 2 Steam 3 Brainchild 4 Drench 6 Creeper 7 Dither 10 Mountebank 14 Lucerne 16 Extreme 17 Dynamo 18 Flora 20 Aggro

## SOLUTION TO TIMES TWO CROSSWORD 728

- ACROSS: 1 Suck 3 Taj Mahal 8 Aged 9 Tranquil 11 Pickpocket 14 Novice 15 Verona 17 Black Death 20 Open-plan 21 Gill 22 Gingerly 23 Jeer
- DOWN: 1 Sharp end 2 Coercive 4 Africa 5 Monteverdi 6 Hour 7 Lull 10 Apocalypse 12 Bona fide 13 Bachelor 16 Scrawl 18 Kong 19 Dean

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Harford ready to delve  
into futures market

BY DAVID MADDOCK AND RUSSELL KEMSPON

BLACKBURN Rovers have watched from the shadows this season as the football transfer boom that they initiated has spiralled out of control. After buying their way to the FA Cup Premier League title, Rovers have been reluctant to continue the trend and have paid the heavy price of mid-table obscurity while their big-spending rivals, Liverpool and Newcastle United, have assumed their mantle in the perennial challenge to Manchester United.

It seems, however, that the spend, spend, spend mentality is about to return to Ewood Park with Ray Harford, the manager, signalling his intent yesterday to resume purchasing policies on a grand scale. "We now have scope for two or three large signings. I believe that there are a few more signings to come before I finish the job here," Harford said. "I am trying to look for players for the future, but ones that are good enough to come into the side now — and they are the ones who cost money."

Harford has been watching Trevor Sinclair, of Queens Park Rangers, Steve Stone, the Nottingham Forest midfielder player, and Lee Bowyer, the Charlton Athletic youngster, who is valued at £4 million. He has also been scouring the transfer market abroad, but anticipates little success in the immediate future, preferring a summer spree to create a basis for a title challenge next season.

"As much as I would like to make some big signings before the transfer deadline, I don't think that will happen. I am looking slightly more long-term," he said. Harford out-

lined his plan for this season as one of consolidation, bringing in players of youthful promise who will add depth to his sparse squad and put pressure in the long term on established first-team players. He is planning to give some of the new breed a run-out against Leeds United tonight.

Matt Holmes, Niklas Gudmundsson and Graham Fenton all coming into the reckoning with Tim Sherwood, the captain, suspended. Elsewhere, Bruce Rioch's reshaping of Arsenal inadvertently gathered pace yesterday with a queue apparently forming to leave Highbury. After Ian Wright's transfer request, Paul Dickov has also asked for a move and John Jensen has rejoined Brøndby, his former club, in Denmark. As yet, Rioch's in-tray is empty.

Chelsea have expressed renewed interest in Wright, having already been rebuffed once, but will wait until Arsenal decide what to do. "I made an inquiry for Ian and, at the time, was answered with a flat 'no'," Glenn Hoddle, the Chelsea manager, said. "Things have moved on from then and we will have to see how the Arsenal board reacts. We will respect their decision."

Arsenal will discuss Wright's future at their next board meeting. "There is no date fixed but Ian's request will be dealt with in due course," Ken Friar, the managing director, said. "There is a lot to consider, with Bruce Rioch's recommendations obviously a key factor."

Rioch's immediate intentions should become clear when he selects his squad for the Premiership match against Wimbledon at Selhurst Park on Saturday. Wright is now free of the injury and suspension that have kept him out of the past three games.

Jensen, 30, was bought by George Graham, the former Arsenal manager, for £1.57 million in July 1992, after scoring one of the Denmark goals in their 2-0 win over Germany in the European championship final in Gothenburg. The move ultimately led to Graham's downfall last year, when he was found guilty by the Football Association of transfer irregularities. Under Rioch, Jensen has found his first-team chances more limited.

Dickov, 23, the Scotland Under-21 striker, has proved a capable deputy for Wright when needed. However, after four seasons as a professional and loan spells at Luton Town and Brighton, he has decided that there is little future in persisting at Highbury.

Italy's top  
players  
prepare  
to strike

ITALIAN football followers are growing ever more anxious as the weekend approaches. Their beloved Serie A is threatened by an unprecedented strike, called by some of the wealthiest and most famous players in the world.

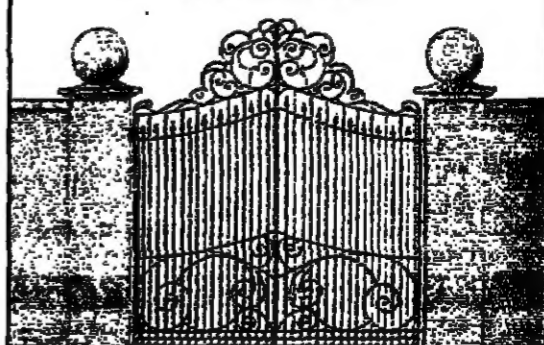
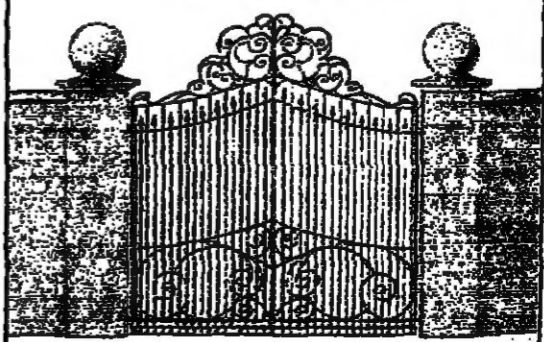
"This was all we needed in Italy — a millionaires' strike," *Corriere dello Sport* said on Tuesday in a commentary headlined: "The war of the rich against the people." If the action does go ahead — and previous strikes have been called off at the last moment — it would hit Serie A matches only. Serie B and Serie C face strikes on future weekends.

The Italian football federation has called an emergency meeting for tomorrow with Sergio Campana, the head of the players' union, and the former coach to the national side, Azeglio Vicini who leads the coaches' association.

The players' main demand is for the federation to meet a shortfall in a "guarantee fund" that acts as a safety net for players when clubs fail. "We're not doing it for ourselves but for the mass of players without guarantees," Gianluca Vialli, the Juventus captain and former Italian international, said.

The players also want the abolition of transfer fees at the end of the season, in line with the European Court's recent "Bosman ruling". League and federation authorities want a gradual phasing out.

One newspaper quoted Vialli as saying the strike was inevitable. "There is no time left to mediate because too much was lost before," Vialli said.

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